

2017 Senate Journals

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First Special Session

1-5	Day 01 - 05/22/17	6-8	Day 02 - 05/24/17	9-13	Day 03 - 05/25/17
14-18	Day 04 - 05/26/17	19-20	Day 05 - 06/05/17		

Second Special Session

1-7	Day 01 - 06/12/17	8-11	Day 02 - 06/13/17	12-14	Day 03 - 06/14/17
15-17	Day 04 - 06/15/17	18-23	Day 05 - 06/22/17	24-26	Day 06 - 06/27/17
27-31	Day 07 - 07/06/17	32-33	Day 08 - 07/14/17	34-37	Day 09 - 07/24/17
38-44	Day 10 - 07/25/17				

Veto Session

1-7	Day 01 - 09/13/17
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First Extra Session

1-5 Day 01 - 05/22/17	6-8 Day 02 - 05/24/17	9-13 Day 03 - 05/25/17
14-18 Day 04 - 05/26/17	19-20 Day 05 - 06/05/17	

Second Extra Session

1-7 Day 01 - 06/12/17	8-11 Day 02 - 06/13/17	12-14 Day 03 - 06/14/17
15-17 Day 04 - 06/15/17	18-23 Day 05 - 06/22/17	24-26 Day 06 - 06/27/17
27-31 Day 07 - 07/06/17	32-33 Day 08 - 07/14/17	34-37 Day 09 - 07/24/17
38-44 Day 10 - 07/25/17		

JOURNAL OF THE SENATE
NINETY-NINTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST REGULAR SESSION

FIRST DAY—WEDNESDAY, JANUARY 4, 2017

The Senate was called to order at 12:00 noon by Lieutenant Governor Peter Kinder.

The Reverend Carl Gauck offered the following prayer:

Gracious God, the gavel has announced the beginning of a new session, bringing new and familiar members to this time of gathering. We come together knowing that we need to be centered in You and opened to Your prompting so our service is in keeping with Your will for us. We are thankful for this opportunity to serve and pray You will help us be faithful in our witnessing. And we pray for Lieutenant Governor-Elect Parson and his recent heart surgery, asking You for his complete healing and health restored for his service to this state and here in the Senate. In Your Holy Name we pray. Amen.

Missouri National Guard presented the Colors.

The Pledge of Allegiance to the Flag was led by Senator Wallingford.

The “Star-Spangled Banner” was performed by Lauren Hieger.

Senator Kehoe requested unanimous consent of the Senate to allow members of the Missouri State Highway Patrol and the Missouri Supreme Court Marshal to enter the Chamber with side arms, which request was granted.

The President of the Senate stated that the Rules of the Senate would be the Missouri Senate Rules of the 2nd Regular Session of the Ninety-eighth General Assembly until temporary or permanent rules are adopted.

Senator Kehoe announced that photographers from Gasconade County Republican, KSDK-TV, Jefferson City News Tribune, Columbia Missourian, The Missouri Times, KRCG-TV and St. Louis Post Dispatch the Senate and family members had been given permission to take flash pictures and to video in the Senate Chamber and gallery.

Senator Kehoe submitted the following appointments of officers for the temporary organization, which were read:

President Pro Tem	Ron Richard
Secretary of Senate	Adriane D. Crouse
Sergeant-at-Arms	Bill Smith

Senator Kehoe requested unanimous consent of the Senate that the above named officers stand as temporary officers until permanent officers are elected, which request was granted.

MESSAGES FROM THE SECRETARY OF STATE

The President laid before the Senate the following communication from the Secretary of State, which was read:

To the Honorable Senate of the 99th General Assembly, First Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the Senate for the 99th General Assembly (First Regular Session) of the State of Missouri, elected at the November 4, 2014 General Election, and the November 8, 2016 General Election and Special Election.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 4th day of January, 2017.

/s/ Jason Kander

(Seal)

SECRETARY OF STATE

MISSOURI STATE SENATORS

Elected November 8, 2016

District	Name
1st	Scott Sifton
3rd	Gary Romine
*4th	Jacob W. Hummel
5th	Jamilah Nasheed
7th	Jason Holsman
9th	Shalonn (Kiki) Curls
11th	John Joseph Rizzo
13th	Gina Walsh
15th	Andrew Koenig
17th	Ryan Silvey
19th	Caleb Rowden
21st	Denny Hoskins
23rd	Bill Eigel
25th	Doug Libla
27th	Wayne Wallingford
29th	David Sater
31st	Ed Emery
33rd	Mike Cunningham

MISSOURI STATE SENATORS

Elected November 4, 2014

District	Name
2nd	Bob Onder
6th	Mike Kehoe
8th	Will Kraus
10th	Jeanie Riddle
12th	Dan Hegeman
14th	Maria N. Chappelle-Nadal
16th	Dan Brown
18th	Brian Munzlinger
20th	Jay Wasson
22nd	Paul Wieland
24th	Jill Schupp
26th	Dave Schatz
28th	Michael L. Parson
30th	Bob Dixon
32nd	Ron Richard
34th	Rob Schaaf

*** Special Election held November 8, 2016 due to the resignation of Senator Joseph Keaveny.**

The newly elected Senators advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Judge Patricia Breckenridge, Chief Justice of the Missouri Supreme Court.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—1

The Lieutenant Governor was present.

The President declared the First Regular Session of the 99th General Assembly convened.

RESOLUTIONS

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED, by the Senate of the Ninety-ninth General Assembly of the State of Missouri, First Regular Session, that the rules adopted by the Ninety-eighth General Assembly, Second Regular Session, as amended, insofar as they are applicable, be adopted as the temporary rules for the control of the deliberations of the Senate of the Ninety-ninth General Assembly, First Regular Session, until permanent rules are adopted.

Senator Kehoe moved that the Senate proceed to perfect its organization, which motion prevailed.

Senator Kehoe nominated Senator Ron Richard for President Pro Tem. Senator Richard's nomination was seconded by Senator Walsh.

No further nominations being made, Senator Richard was elected President Pro Tem by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—1

Senator Richard was escorted to the dais by Senator Walsh.

Senator Richard subscribed to the oath of office of President Pro Tem, administered by the Honorable Judge Daniel E. Scott, Missouri Court of Appeals, Southern District.

President Pro Tem Richard assumed the dais and delivered the following address:

Opening Address

Senator Ron Richard, President Pro Tem

First Regular Session, 99th General Assembly

January 4, 2017

Good afternoon and THANK YOU for placing your trust in me to serve as your President Pro- Tem.

It is a high honor to do so, and, of course, it's an honor for all of us to serve the people in the Missouri Senate.

Many of you have family and friends here with you today. We welcome them to the Chamber.

Gov-elect Eric Greitens

Lt. Gov Peter Kinder

Lt. Gov-elect Mike Parson

Judge Patricia Breckenridge

Judge Dan Scott

Patty Richard

Senators and Guests

I know it's a tradition that the new President Pro-Tem gives a big speech on the first day and sets the agenda. But I'm not big on long, windy speeches.

So rather than stand here and set the agenda for 2017, I'm going to say a few words that I hope will set the TONE for 2017.....and beyond. In other words, how should we go about conducting the business of the Missouri Senate?

What we do here matters, and how we do it matters.

Take a look around. Not just at each other, but take a look at this magnificent chamber, which is at the heart of the most beautiful capitol building in America.

Why is it that Missourians- who are not unnecessarily extravagant people – decided more than a hundred years ago to build such a wonderful capitol? And not just the building itself, but all the wonderful artwork throughout the Capitol, including this very chamber?

These great Capitol decorations are not placed simply for the purpose of expounding beauty and art, but to inspire in succeeding generations patriotism. Without a knowledge of history there can be no patriotism. Without a reverence for our pioneer forbears there can be no respect for the government they sacrificed to build.

We could do our business sitting around a bunch of card tables. Instead, we are here in this grand chamber.

I think Missourians then – and Missourians now - want us to feel the weight of what we do here. They want us to feel the weight of history; to appreciate what has come before us; and to apply it to what we do in this chamber.

Look behind me and you'll see Daniel Boone at the Judgment tree. Daniel Boone loved Missouri. He built his own coffin out of the wood of a wild cherry tree he found here. He planned ahead.

On another panel you will see President Jefferson greeting Lewis and Clark. The vast amount of information Lewis and Clark gathered on their expedition was tremendously important. Lewis and Clark knew the importance of details.

Also behind me, a depiction of Senator Thomas Benton's historic speech in St. Louis in 1849. Benton wanted to build a railroad from St. Louis to the Pacific. Folks back east ridiculed the idea; nothing out west but savages, they said. In his speech, Benton said, quote – “Let us rise to the grandeur of the occasion.” – end quote. He did; and so should we.

I also draw your attention to the panel showing Frank Blair giving a speech in Louisiana, Missouri in 1866. He fought for the Union and was a fearless general. But in 1865, when the state Constitution required a loyalty oath in order to vote, or practice medicine, or preach, Blair denounced it. He took the stump in Louisiana, Missouri as a Democrat and gave the first Democratic speech in Missouri after the Civil War. He was warned that if he showed up, he would be shot.

But he showed up, anyway. Blair walked up to the platform, laid two revolvers on the desk and said, -- quote – “I understand I am to be shot if I speak here today. Perhaps we would better attend to this ceremony now.”

Nobody stepped forward. Nobody shot him. Frank Blair was a man of courage.

This is the history that should weigh upon us as we go about our business in this chamber.

Plan ahead. Pay attention to the details. Have the courage to say what needs to be said. And, of course, rise to the grandeur of the occasion.

So let us pledge to each other that in 2017 and beyond, we will conduct the business of the Senate in a way that rises to the grandeur of the great state of Missouri.

But, of course, we're human, and we make mistakes, especially in the passion of the moment. I'm sure even the greatest figures in our history fell short of what they expected of themselves from time to time. But when the moment demanded it, they rose to meet the occasion, and that's what history remembers.

How will history remember us?

I'm hoping we are remembered for respecting the institution of the Senate and each other; for restoring civility to the chamber; and that we were able to be passionate about our convictions without being combative with one another.

We have a lot to do, so I'll close now with one last bit of advice from a man I greatly admire - Winston Churchill. He might have been thinking about the Missouri Senate when he said:

Quote – “Courage is what it takes to stand up and speak; courage is also what it takes to sit down and listen.”

Which I intend to do.

God bless you all, and God bless the great State of Missouri.

President Kinder assumed the Chair.

Senator Richard nominated Adriane D. Crouse for Secretary of Senate.

No further nominations being made, Ms. Crouse was elected by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—1

Senator Richard nominated Bill Smith for Sergeant-at-Arms.

No other nominations being made, Mr. Smith was elected by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Parson—1

Vacancies—1

Adriane D. Crouse and Bill Smith advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Judge Patricia Breckenridge, Chief Justice of the Missouri Supreme Court.

RESOLUTIONS

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the First Regular Session of the Ninety-ninth General Assembly is duly convened and is now in session and ready for consideration of business;

BE IT FURTHER RESOLVED that the Secretary of the Senate notify the House of Representatives that the Senate is now organized with the election of the following named officers:

President Pro Tem	Ron Richard
Secretary of Senate	Adriane D. Crouse
Sergeant-at-Arms	Bill Smith

In accordance with Section 9.141, RSMo, the Bill of Rights was read.

On motion of Senator Kehoe, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Riddle.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 25, 2016, while the Senate was not in session.

Terral S. Akins, 9003 South Shrout Road, Grain Valley, Jackson County, Missouri 64029, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2018, and until his successor is duly appointed and qualified; vice, Curtis E. Chick, Jr., term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 5, 2016, while the Senate was not in session.

Ronald D. Bockenkamp, Democrat, 3808 Highway O, Farmington, Saint Francois County, Missouri 63640, as a member of the Public Defender Commission, for a term ending January 6, 2020, and until his successor is duly appointed and qualified; vice, Oliver Glenn Boyer, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 4, 2016, while the Senate was not in session.

Harry Bozoian, 4802 Center Brook Court, Columbia, Boone County, Missouri 65203, as Director of the Department of Natural Resources, for a term ending at the Pleasure of the Governor, and until his successor is duly appointed and qualified..

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2016, while the Senate was not in session.

Ralph C. Bray Jr, Republican, 1206 Peyton Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2020, and until his successor is duly appointed and qualified; vice, Alfred B. Jordan, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Katie L. Brown, 307 Copper Tree Court, O'Fallon, Saint Charles County, Missouri 63368, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2018, and until her successor is duly appointed and qualified; vice, Suzette Forbis, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Christopher M. Carriger, 417 South Myrtle Street, Purcell, Jasper County, Missouri 64857, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2017, and until his successor is duly appointed and qualified; vice, Anne M. Bethune, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Jennifer L. Cato, 13519 East 40th Street South, Independence, Jackson County, Missouri 64055, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2017, and until her successor is duly appointed and qualified; vice, Berta M. Sailer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 25, 2016, while the Senate was not in session.

Theodore E. (Tec) Chapman II, 3708 Watts Drive, Columbia, Boone County, Missouri 65203, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2018, and until his successor is duly appointed and qualified; vice, Martha Black, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 20, 2016, while the Senate was not in session.

Deron L. Cherry, Republican, 13800 South Pebblebrook Lane, Greenwood, Jackson County, Missouri 64034, as a member of the Jackson County Sports Complex Authority, for a term ending July 15, 2021, and until his successor is duly appointed and qualified; vice, Deron L. Cherry, reappointed.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

James D. Cunningham Jr., 3240 Buckingham Drive, Sedalia, Pettis County, Missouri 65301, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, Timothy P. McGrail, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Donna J. Erickson, 843 Clark Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Betty Marver, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 14, 2016, while the Senate was not in session.

Robert E. Gardner Sr., Republican, 3125 Beaver Creek Road, Cape Girardeau, Cape Girardeau County, Missouri 63703, as a member of The State Board of Registration for the Healing Arts, for a term ending September 3, 2020, and until his successor is duly appointed and qualified; vice, Benjamin Lampert, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 22, 2016, while the Senate was not in session.

Jerry J. Genochio, Democrat, 10809 North Holmes Street, Kansas City, Clay County, Missouri 64155, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Robert Dowis, withdrawn.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2016, while the Senate was not in session.

Gene Patrick Graham III, 1608 Wilson Avenue, Columbia, Boone County, Missouri 65201, as the student representative of the University of Missouri Board of Curators, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Tracy Mulderig, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 2, 2016, while the Senate was not in session.

Carlos A. Haley, Republican, 4230 S. Illinois Avenue, Joplin, Newton County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2022, and until his successor is duly appointed and qualified; vice, Keith G. Hankins, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2016, while the Senate was not in session.

Clint L. Harris, 2020 Washington Avenue, Apartment 305, Saint Louis City, Missouri 63103, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2020, and until his successor is duly appointed and qualified; vice, Neil G. Nuttall, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2016, while the Senate was not in session.

Martha O. Harris, 1217 Elmerine Avenue, Jefferson City, Cole County, Missouri 65101, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2021, and until her successor is duly appointed and qualified; vice, Michael “Wayne” Wheeler, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 29, 2016, while the Senate was not in session.

Kirby L. Hatcher, Independent, 9430 North Bradford Avenue, Kansas City, Platte County, Missouri 64154, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2021, and until his successor is duly appointed and qualified; vice, Ronald Dirck Clark, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 5, 2016, while the Senate was not in session.

Daniel D. Haug, 1403 Satinwood Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2020, and until his successor is duly appointed and qualified; vice, Michael E. Warrick, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on October 5, 2016, while the Senate was not in session.

Nila B. Hayes, 1584 North Farm Road 97, Springfield, Greene County, Missouri 65802, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2020, and until her successor is duly appointed and qualified; vice, Vernetta Kaye Newsome, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 2, 2016, while the Senate was not in session.

Edward D. Hillhouse, Republican, 664 Blackhorse Drive, Villa Ridge, Franklin County, Missouri 63089, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Stephen R. Miller, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

James L. Hodge, Democrat, 5549 South Maryland Avenue, Springfield, Greene County, Missouri 65810, as a member of the State Board of Senior Services, for a term ending August 30, 2020, and until his successor is duly appointed and qualified; vice, Edna L. Chavis, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 2, 2016, while the Senate was not in session.

Carla G. Holste, 301 Lucretia Lane, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Teresa M. Wallace, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 25, 2016, while the Senate was not in session.

Theresa R. Hubbard, Independent, 1037 Fox Run Terrace, Liberty, Clay County, Missouri 64068, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2020, and until her successor is duly appointed and qualified; vice, Ronald N. Kemp, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 6, 2016, while the Senate was not in session.

Al W. Johnson, Republican, 4321 Olive Street, Saint Louis City, Missouri 63108, as a member and Secretary of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Andrew Schwartz, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on November 14, 2016, while the Senate was not in session.

Bradley A. Jones, 233 North Ellis Street, Cape Girardeau, Cape Girardeau County, Missouri 63701, as the student representative of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Austin D. Cordell, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 29, 2016, while the Senate was not in session.

Darrell R. Jones, Republican, 4407 Kensington Drive, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2022, and until his successor is duly appointed and qualified; vice, Leo Blakley, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 22, 2016, while the Senate was not in session.

James B. Kelly Jr., Democrat, 11720 Madison, Kansas City, Jackson County, Missouri 64114, as a member of The State Board of Registration for the Healing Arts, for a term ending September 3, 2019, and until his successor is duly appointed and qualified; vice, John Lyskowski, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2016, while the Senate was not in session.

Christine M. Kiefer, 3920 Christian School Road, Hartsburg, Boone County, Missouri 65039, as a member of the Board of Cosmetology and Barber Examiners, for a term ending May 1, 2020, and until her successor is duly appointed and qualified; vice, RSMo. 329.015.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 22, 2016, while the Senate was not in session.

Matthew D. Kitzi, Democrat, 705 Old Hawthorne Drive East, Columbia, Boone County, Missouri 65201, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2023, and until his successor is duly appointed and qualified; vice, Joseph B. Bosse, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 25, 2016, while the Senate was not in session.

Susan Michelle (Shelley) Kneuvean, 2347 Northeast Cross Creek Lane, Lee's Summit, Jackson County, Missouri 64086, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2019, and until her successor is duly appointed and qualified; vice, J. Gil Kennon, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2016, while the Senate was not in session.

Peter Lyskowski, 1413 Green Berry Road, Jefferson City, Cole County, Missouri 65101, as Director of the Department of Health and Senior Services, for a term ending at the Pleasure of the Governor, and until his successor is duly appointed and qualified..

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 29, 2016, while the Senate was not in session.

Stephen Mahfood, Democrat, 18417 Rieger Road, Wildwood, Saint Louis County, Missouri 63005, as a member of the State Environmental Improvement and Energy Resources Authority, for a term ending January 22, 2019, and until his successor is duly appointed and qualified; vice, Robert C. Kramer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Lana M. Martin, 323 West 8th Street, Apartment 404, Kansas City, Jackson County, Missouri 64105, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Rebeka R. McIntosh, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 30, 2016, while the Senate was not in session.

Ryan G. McKenna, Democrat, 267 Oak Path Drive, Ballwin, Saint Louis County, Missouri 63011, as a member of the State Tax Commission, for a term ending January 23, 2020, and until his successor is duly appointed and qualified; vice, Randy Holman, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2016, while the Senate was not in session.

Ronald K. Medin, 1215 Elmerine Avenue, Jefferson City, Cole County, Missouri 65101, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, William Compere, deceased.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2016, while the Senate was not in session.

Scott M. Meierhoffer, Republican, 3402 Stanford Court, Saint Joseph, Buchanan County, Missouri 64506, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2021, and until his successor is duly appointed and qualified; vice, Gary A. Fraker, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2016, while the Senate was not in session.

Salvatore D. Monteleone, Democrat, 1211 West 66th Street, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2019, and until his successor is duly appointed and qualified; vice, Michael Mahler, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 16, 2016, while the Senate was not in session.

Sarah E. Mullen, Independent, 140 Buckstone Pass, Defiance, Saint Charles County, Missouri 63341, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2021, and until her successor is duly appointed and qualified; vice, Thomas Heinsz, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on December 16, 2016, while the Senate was not in session.

Kevin J. Murphy, 6518 Christopher Drive, Saint Louis, Saint Louis County, Missouri 63129, as a member of the Petroleum Storage Tank Insurance Fund Board of Trustees, for a term ending February 6, 2019, and until his successor is duly appointed and qualified; vice, Bruce V. Work, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2016, while the Senate was not in session.

Thomas W. Neer, Republican, 241 Defiance Road, Defiance, Saint Charles County, Missouri 63341, as a member of the Public Defender Commission, for a term ending August 25, 2022, and until his successor is duly appointed and qualified; vice, Kenneth C. Hensley, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2016, while the Senate was not in session.

Mary E. Nelson, Democrat, 4100 Laclede Avenue, Apartment 202, Saint Louis City, Missouri 63108, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2019, and until her successor is duly appointed and qualified; vice, Ann K. Covington, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 22, 2016, while the Senate was not in session.

Janay N. Orange, 263 South Complex, 920 Memorial Drive, Maryville, Nodaway County, Missouri 64468, as the student representative of the Northwest Missouri State University Board of Regents, for a term ending December 31, 2017, and until her successor is duly appointed and qualified; vice, Ve'Shawn Dixon, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Joseph G. Plaggenberg, 211 Bluff Street, Jefferson City, Camden County, Missouri 65101, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, RSMo 210.153.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Alice Chang Ray, 1301 Kiefer Bluffs Drive, Ballwin, Saint Louis County, Missouri 63021, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2019, and until her successor is duly appointed and qualified; vice, Patricia L. Kohl, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Eric R. Reece, 114 Forest Ridge Road, Rogersville, Christian County, Missouri 65742, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, RSMo. 210.153.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 25, 2016, while the Senate was not in session.

Joe Reichmuth, Independent, 1707 San Martin Drive, Fenton, Saint Louis County, Missouri 63026, as a member of the Workers' Compensation Determinations Review Board, for a term ending March 3, 2017, and until his successor is duly appointed and qualified; vice, Timothy White, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Taryn G. Sandheinrich, 447 Hampshire Court, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2020, and until her successor is duly appointed and qualified; vice, Laura Noren, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Charles W. Schlottach, 2102 Highway 50, Owensville, Gasconade County, Missouri 65066, as a member of the Missouri Wine and Grape Board, for a term ending October 28, 2019; vice, Jonathan L. Held, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2016, while the Senate was not in session.

Kayla S. Schoonover, Independent, 30512 State Highway N, Fairfax, Atchison County, Missouri 64446, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2017, and until her successor is duly appointed and qualified; vice, Lesley J. Graves, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 26, 2016, while the Senate was not in session.

James J. Sievers Jr., Democrat, 1177 Lockett Road, Des Peres, Saint Louis County, Missouri 63131, as a member of the Public Defender Commission, for a term ending August 25, 2022, and until his successor is duly appointed and qualified; vice, Douglas A. Copeland, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2016, while the Senate was not in session.

John W. Sisco III, Republican, 4804 Marchwood Drive, Saint Louis, Saint Louis County, Missouri 63128, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2018, and until his successor is duly appointed and qualified; vice, Doris J. Carter, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on July 25, 2016, while the Senate was not in session.

Betty J. Sisco, 8611 Buddy Holly Drive, Pacific, Jefferson County, Missouri 63069, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2017, and until her successor is duly appointed and qualified; vice, Shane Mecham, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2016, while the Senate was not in session.

Robert Bradley Speaks, Independent, 16312 East Cogan Drive, Independence, Jackson County, Missouri 64055, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2020, and until his successor is duly appointed and qualified; vice, T. Eric Pitman, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2016, while the Senate was not in session.

Jon T. Sundvold, Republican, 2700 Westbrook Way, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, David Steward, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 22, 2016, while the Senate was not in session.

Roxanna R. Swaney, Republican, 934 Swallow Circle, Liberty, Clay County, Missouri 64068, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2023, and until her successor is duly appointed and qualified; vice, James Loch, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on September 6, 2016, while the Senate was not in session.

Erwin O. (Erv) Switzer, Democrat, 6379 Devonshire Avenue, Saint Louis City, Missouri 63109, as a member and Chair of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Joan M. Burger, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Christopher L. Thiemann, 504 E. Main Street, Humansville, Polk County, Missouri 65674, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2019, and until his successor is duly appointed and qualified; vice, RSMo. 210.153.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on January 3, 2017, while the Senate was not in session.

Amy J. Thompson, 46 Arthur Court, Camdenton, Camden County, Missouri 65020, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2019, and until her successor is duly appointed and qualified; vice, Joyce E. Massey, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 8, 2016, while the Senate was not in session.

Thomas R. Voss, Independent, 207 Sundrop Court, Eureka, Jefferson County, Missouri 63025, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2021, and until his successor is duly appointed and qualified; vice, Yvonne S. Sparks, resigned.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on June 3, 2016, while the Senate was not in session.

Christine White, Democrat, 1612 Dougherty Ferry Road, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Workers' Compensation Determinations Review Board, for a term ending March 3, 2017, and until her successor is duly appointed and qualified; vice, Jack D. Atterberry, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment made and commissioned by me on August 10, 2016, while the Senate was not in session.

Lawrence G. Young, Democrat, 502 East 122nd Street, Kansas City, Jackson County, Missouri 64145, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2018, and until his successor is duly appointed and qualified; vice, Eric S. Latimer, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

FIRST READING OF PRE-FILED SENATE BILLS

As provided by Chapter 21, RSMo, Sections 21.600, 21.605, 21.615 and 21.620, the following pre-filed Bills and/or Joint Resolutions were introduced and read for the first time:

SB 1—By Schaaf.

An Act to amend chapter 130, RSMo, by adding thereto one new section relating to tax credits for certain campaign contributions, with penalty provisions.

SB 2—By Schaaf.

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to lobbyists.

SB 3—By Schaaf.

An Act to repeal section 105.455, RSMo, and to enact in lieu thereof one new section relating to the waiting period before certain public officials can become lobbyists.

SB 4—By Richard.

An Act to repeal section 537.762, RSMo, and to enact in lieu thereof one new section relating to products liability civil actions.

SB 5—By Richard.

An Act to repeal sections 407.025, 508.010, and 537.762, RSMo, and to enact in lieu thereof five new sections relating to civil actions.

SB 6—By Richard.

An Act to repeal section 253.550, RSMo, and to enact in lieu thereof three new sections relating to historic buildings, with an emergency clause.

SB 7—By Munzlinger.

An Act to amend chapters 143 and 262, RSMo, by adding thereto six new sections relating to programs for beginning farmers.

SB 8—By Munzlinger.

An Act to repeal section 307.175, RSMo, and to enact in lieu thereof one new section relating to flashing lights used by motor vehicles and equipment, with existing penalty provisions and an emergency clause.

SB 9—By Munzlinger.

An Act to repeal sections 195.010, 195.017, and 263.250, RSMo, and to enact in lieu thereof eight new sections relating to industrial hemp, with penalty provisions.

SB 10—By Wasson and Richard.

An Act to repeal sections 620.2005 and 620.2010, RSMo, and to enact in lieu thereof two new sections relating to financial incentives for job creation.

SB 11—By Wasson.

An Act to repeal section 100.180, RSMo, and to enact in lieu thereof one new section relating to industrial development projects.

SB 12—By Wasson.

An Act to amend chapter 409, RSMo, by adding thereto one new section relating to the regulation of securities.

SB 13—By Dixon.

An Act to amend chapter 1, RSMo, by adding thereto one new section relating to the compact for a balanced budget, with an emergency clause.

SB 14—By Dixon.

An Act to repeal section 144.030, RSMo, and to enact in lieu thereof one new section relating to sales and use taxes.

SB 15—By Dixon.

An Act to repeal sections 135.600 and 135.630, RSMo, and to enact in lieu thereof two new sections relating to tax credits for contributions to certain benevolent organizations.

SB 16—By Kraus.

An Act to repeal sections 144.010 and 144.605, RSMo, and to enact in lieu thereof two new sections relating to sales and use taxes for delivery charges.

SB 17—By Kraus.

An Act to repeal section 143.071, RSMo, and to enact in lieu thereof one new section relating to corporate income tax.

SB 18—By Kraus.

An Act to repeal sections 347.015, 347.179, 351.015, 351.065, 354.010, 354.150, 355.021, 355.066, 357.060, 358.020, 358.440, 359.011, 359.651, 394.020, 394.250, and 417.220, RSMo, and to enact in lieu thereof sixteen new sections relating to business fees, with an existing penalty provision.

SB 19—By Brown.

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

SB 20—By Brown.

An Act to repeal sections 290.210, 290.220, 290.230, 290.240, 290.250, 290.260, 290.262, 290.263, 290.265, 290.270, 290.280, 290.290, 290.300, 290.305, 290.315, 290.320, 290.325, 290.330, 290.335, and 290.340, RSMo, relating to public contracts.

SB 21—By Brown.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

SB 22—By Chappelle-Nadal.

An Act to repeal section 441.236, RSMo, and to enact in lieu thereof five new sections relating to hazardous waste, with a penalty provision.

SB 23—By Chappelle-Nadal.

An Act to repeal sections 160.410, 160.415, 162.081, 163.021, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof thirty-six new sections relating to elementary and secondary education, with an emergency clause.

SB 24—By Chappelle-Nadal.

An Act to repeal section 590.650, RSMo, and to enact in lieu thereof one new section relating to racial bias in policing.

SB 25—By Curls.

An Act to amend chapter 84, RSMo, by adding thereto one new section relating to the Kansas City police department.

SB 26—By Curls.

An Act to amend chapter 84, RSMo, by adding thereto one new section relating to airport police officers in certain cities.

SB 27—By Curls.

An Act to repeal sections 441.500, 441.510, 441.570, 441.590, 441.600, and 441.641, RSMo, and to enact in lieu thereof six new sections relating to residential property receivership.

SB 28—By Sater.

An Act to amend chapter 208, RSMo, by adding thereto four new sections relating to the Medicaid global waiver.

SB 29—By Sater.

An Act to repeal section 290.210, RSMo, and to enact in lieu thereof one new section relating to prevailing wage.

SB 30—By Sater.

An Act to repeal section 233.295, RSMo, and to enact in lieu thereof one new section relating to county road district consolidation.

SB 31—By Emery.

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

SB 32—By Emery.

An Act to amend chapters 135 and 166, RSMo, by adding thereto ten new sections relating to educational scholarships, with a penalty provision.

SB 33—By Emery.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to simplified annual school report cards.

SB 34—By Cunningham.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to the offense of illegal reentry, with penalty provisions and an effective date.

SB 35—By Cunningham.

An Act to repeal section 34.030, RSMo, and to enact in lieu thereof one new section relating to land purchases made on behalf of departments of the state.

SB 36—By Cunningham.

An Act to repeal section 137.100, RSMo, and to enact in lieu thereof one new section relating to the removal of a property tax exemption for real property belonging to the Missouri department of natural resources.

SB 37—By Silvey.

An Act to repeal section 302.183, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

SB 38—By Silvey.

An Act to repeal sections 227.290, 230.110, and 230.250, RSMo, and to enact in lieu thereof six new sections relating to supplementary state highway maintenance.

SB 39—By Silvey.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax credits, with an emergency clause.

SB 40—By Wallingford.

An Act to repeal sections 211.021, 211.031, 211.032, 211.033, 211.041, 211.061, 211.071, 211.073, 211.081, 211.091, 211.101, 211.161, 211.181, 211.321, 211.421, 211.425, 211.431, and 221.044, RSMo, and to enact in lieu thereof eighteen new sections relating to juvenile court proceedings, with penalty provisions.

SB 41—By Wallingford and Emery.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to alternatives-to-abortion agencies.

SB 42—By Wallingford.

An Act to repeal sections 334.104, 335.016, 335.019, 335.046, 335.056, 335.086, and 338.198, RSMo, and to enact in lieu thereof seven new sections relating to advanced practice registered nurses.

SB 43—By Romine.

An Act to repeal sections 213.010, 213.040, 213.050, 213.055, 213.065, 213.070, 213.101, and 213.111, RSMo, and to enact in lieu thereof nine new sections relating to unlawful discriminatory practices.

SB 44—By Romine.

An Act to repeal section 178.550, RSMo, and to enact in lieu thereof two new sections relating to career and technical education.

SB 45—By Romine.

An Act to repeal sections 435.350, 435.355, and 435.440, RSMo, and to enact in lieu thereof three new sections relating to arbitration agreements between employers and at-will employees.

SB 46—By Libla.

An Act to repeal sections 217.703, 556.061, 565.002, 565.023, 565.024, 565.027, 565.050, 565.052, and 565.054, RSMo, and to enact in lieu thereof nine new sections relating to certain crimes against emergency services providers, with penalty provisions.

SB 47—By Libla.

An Act to amend chapter 493, RSMo, by adding thereto one new section relating to publication of legal notices.

SB 48—Withdrawn.

SB 49—By Walsh.

An Act to amend chapter 92, RSMo, by adding thereto two new sections relating to local sales tax for certain zoological organizations.

SB 50—By Walsh.

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to a health care directives registry.

SB 51—By Walsh.

An Act to amend chapter 161, RSMo, by adding thereto one new section relating to assessments for the deaf and hard of hearing.

SB 52—By Nasheed.

An Act to repeal sections 610.100 and 610.200, RSMo, and to enact in lieu thereof six new sections relating to suicide awareness and prevention, with an emergency clause for certain sections.

SB 53—By Nasheed.

An Act to repeal section 589.015, RSMo, and to enact in lieu thereof two new sections relating to higher education requirements regarding affirmative consent to sexual activity.

SB 54—By Nasheed.

An Act to amend chapter 285, RSMo, by adding thereto seven new sections relating to leave from employment.

SB 55—By Holsman.

An Act to amend chapter 251, RSMo, by adding thereto one new section relating to grants for urban agriculture.

SB 56—By Holsman.

An Act to amend chapter 579, RSMo, by adding thereto five new sections relating to medical marijuana, with penalty provisions.

SB 57—By Holsman.

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof one new section relating to net metering.

SB 58—By Sifton.

An Act to repeal sections 160.011, 160.400, 160.410, 160.415, 160.425, 162.081, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof thirty-nine new sections relating to elementary and secondary education, with an emergency clause.

SB 59—By Sifton.

An Act to repeal sections 105.477 and 105.955, RSMo, sections 105.456 and 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, section 105.456 as enacted by house bill no. 1979, ninety-eighth general assembly, second regular session, section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof four new sections relating to prohibition of lobbyist expenditures to certain public officials.

SB 60—By Sifton.

An Act to repeal section 137.106, RSMo, and to enact in lieu thereof one new section relating to the Missouri homestead preservation act.

SB 61—By Hegeman.

An Act to repeal sections 304.022 and 307.175, RSMo, and to enact in lieu thereof two new sections relating to the display of lights on stationary motor vehicles, with an existing penalty provision.

SB 62—By Hegeman.

An Act to repeal section 104.1205, RSMo, and to enact in lieu thereof one new section relating to retirement of higher education employees, with an effective date.

SB 63—By Hegeman.

An Act to repeal section 162.1115, RSMo, and to enact in lieu thereof one new section relating to career and technical education.

SB 64—By Schatz.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to designation of a memorial bridge.

SB 65—By Schatz.

An Act to repeal section 306.126, RSMo, and to enact in lieu thereof one new section relating to boat passengers.

SB 66—By Schatz.

An Act to repeal sections 287.020, 287.149, 287.170, and 287.390, RSMo, and to enact in lieu thereof four new sections relating to maximum medical improvement under workers' compensation laws.

SB 67—By Onder, Emery, and Sater.

An Act to repeal sections 188.036, 188.047, 188.052, and 197.230, RSMo, and to enact in lieu thereof five new sections relating to abortion, with penalty provisions.

SB 68—By Onder and Nasheed.

An Act to amend chapter 595, RSMo, by adding thereto one new section relating to victims of crime.

SB 69—By Schupp.

An Act to repeal section 143.121, RSMo, and to enact in lieu thereof ten new sections relating to leave from employment, with a referendum clause.

SB 70—By Schupp.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to MO HealthNet services.

SB 71—By Schupp.

An Act to repeal sections 188.027, 188.039, 188.080, and 197.200, RSMo, and to enact in lieu thereof four new sections relating to abortion, with an existing penalty provision.

SB 72—By Schaaf.

An Act to repeal sections 330.160, 332.321, 334.100, and 335.066, RSMo, and to enact in lieu thereof four new sections relating to requirements for prescribing opioids for chronic pain.

SB 73—By Schaaf.

An Act to repeal section 130.041 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session, RSMo, and to enact in lieu thereof one new section relating to financial disclosure under campaign finance laws.

SB 74—By Schaaf.

An Act to repeal section 195.050, RSMo, and to enact in lieu thereof twelve new sections relating to a prescription drug monitoring program, with penalty provisions and a referendum clause.

SB 75—By Munzlinger.

An Act to repeal section 105.030, RSMo, and to enact in lieu thereof one new section relating to vacancies in county elected offices.

SB 76—By Munzlinger.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to private nuisance actions.

SB 77—By Munzlinger.

An Act to amend chapter 266, RSMo, by adding thereto one new section relating to the regulation of agricultural inputs.

SB 78—By Wasson.

An Act to amend chapter 348, RSMo, by adding thereto two new sections relating to tax credits for investments in certain Missouri businesses.

SB 79—By Wasson.

An Act to amend chapter 620, RSMo, by adding thereto nine new sections relating to tax incentives for investments in rural business.

SB 80—By Wasson.

An Act to repeal section 144.011, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions.

SB 81—By Dixon.

An Act to repeal section 479.360, RSMo, and to enact in lieu thereof one new section relating to mandatory procedures adopted by municipal courts.

SB 82—By Dixon.

An Act to repeal sections 2.050, 2.060, 3.010, 3.140, 3.150, 23.020, 23.040, and 23.050, RSMo, and to enact in lieu thereof eight new sections relating to the duties and functions of the joint committee on legislative research.

SB 83—By Dixon.

An Act to repeal section 488.2206, RSMo, and to enact in lieu thereof one new section relating to court surcharges collected for the construction and maintenance of judicial facilities.

SB 84—By Kraus.

An Act to repeal sections 542.400, 542.402, 542.406, 542.412, 542.414, 542.416, 542.418, and 542.420, RSMo, and to enact in lieu thereof nine new sections relating to the authority to engage in certain investigative practices, with penalty provisions.

SB 85—By Kraus.

An Act to amend chapter 43, RSMo, by adding thereto one new section relating to automated license plate reader systems, with penalty provisions.

SB 86—By Kraus.

An Act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to the definition of agricultural and horticultural property for purposes of taxation.

SB 87—By Brown.

An Act to repeal section 105.525, RSMo, and to enact in lieu thereof one new section relating to collective bargaining representatives.

SB 88—By Brown.

An Act to repeal section 516.105, RSMo, and to enact in lieu thereof one new section relating to actions against veterinarians.

SB 89—By Chappelle-Nadal.

An Act to amend chapter 571, RSMo, by adding thereto three new sections relating to firearms, with penalty provisions.

SB 90—By Chappelle-Nadal.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to increasing the number of contracts awarded to women's and minority business enterprises.

SB 91—By Chappelle-Nadal.

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to the minimum wage.

SB 92—By Curls.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to a tax credit for purchase of blighted homes.

SB 93—By Curls.

An Act to repeal section 162.492, RSMo, and to enact in lieu thereof one new section relating to school board district elections.

SB 94—By Curls.

An Act to repeal section 534.030, RSMo, and to enact in lieu thereof one new section relating to foreclosure notice to tenants.

SB 95—By Sater.

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to the authority for counties to decrease their budgets.

SB 96—By Sater and Emery.

An Act to repeal sections 188.015 and 188.052, RSMo, and to enact in lieu thereof three new sections relating to a ban on certain selective abortions.

SB 97—By Sater.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to sepsis protocols.

SB 98—By Emery.

An Act to amend chapter 171, RSMo, by adding thereto one new section relating to the physical privacy of students.

SB 99—By Emery.

An Act to amend chapter 455, RSMo, by adding thereto one new section relating to electronic monitoring of persons who have been charged with or found guilty of violating protection orders, with an expiration date.

SB 100—By Emery.

An Act to amend supreme court rule 55.03, for the purpose of modifying procedures for filing a motion for sanctions, with an effective date.

SB 101—By Cunningham.

An Act to repeal section 311.310, RSMo, and to enact in lieu thereof one new section relating to penalties for allowing minors to possess intoxicating liquor, with penalty provisions.

SB 102—By Cunningham.

An Act to repeal sections 362.105, 362.200 and 362.205, RSMo, and to enact in lieu thereof one new section relating to powers of certain financial institutions.

SB 103—By Wallingford.

An Act to repeal section 192.2425, RSMo, and to enact in lieu thereof one new section relating to investigations of elder abuse.

SB 104—By Wallingford.

An Act to repeal section 475.050, RSMo, and to enact in lieu thereof one new section relating to the appointment of a guardian for an incapacitated person.

SB 105—By Wallingford.

An Act to repeal sections 32.087, 66.601, 66.620, 67.395, 67.525, 67.571, 67.576, 67.578, 67.581, 67.582, 67.583, 67.584, 67.712, 67.713, 67.729, 67.737, 67.738, 67.745, 67.782, 67.799, 67.997, 67.1300, 67.1303, 67.1305, 67.1545, 67.1713, 67.1775, 67.1959, 67.1971, 67.2000, 67.2030, 67.2525, 67.2530, 94.578, 94.605, 94.660, 94.705, 144.010, 144.014, 144.030, 144.032, 144.043, 144.049, 144.054, 144.069, 144.080, 144.083, 144.100, 144.140, 144.210, 144.285, 144.517, 144.526, 144.605, 144.655, 144.710, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 221.407, 238.235, and 238.410, RSMo, and to enact in lieu thereof sixty-seven new sections relating to the implementation of the streamlined sales and use tax agreement, with penalty provisions and an effective date.

SB 106—By Romine.

An Act to amend chapters 135 and 173, RSMo, by adding thereto three new sections relating to financial assistance for dual enrollment courses.

SB 107—By Romine.

An Act to repeal sections 161.094 and 161.095, RSMo, and to enact in lieu thereof two new sections relating to high school equivalency degree testing.

SB 108—By Romine.

An Act to repeal section 40.490, RSMo, and to enact in lieu thereof one new section relating to reemployment rights of members of the National Guard.

SB 109—By Holsman.

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to solar energy systems in certain planned communities.

SB 110—By Holsman.

An Act to repeal section 82.1026, RSMo, and to enact in lieu thereof one new section relating to vacant nuisance properties in certain cities.

SB 111—By Hegeman.

An Act to repeal section 473.730, RSMo, and to enact in lieu thereof one new section relating to the bonding requirements of public administrators.

SB 112—By Schatz.

An Act to repeal section 182.660, RSMo, and to enact in lieu thereof one new section relating to public library districts.

SB 113—By Schatz.

An Act to repeal section 287.780, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

SB 114—By Schatz.

An Act to repeal section 49.060, RSMo, and to enact in lieu thereof one new section relating to vacancies in the office of county commissioner, with an emergency clause.

SB 115—By Schupp.

An Act to repeal sections 210.211 and 210.245, RSMo, and to enact in lieu thereof two new sections relating to child care facilities, with penalty provisions.

SB 116—By Schupp.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for emergency generator upgrades.

SB 117—By Schupp.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to mandatory influenza vaccinations, with penalty provisions.

SB 118—By Schaaf.

An Act to repeal section 100.270, RSMo, and to enact in lieu thereof one new section relating to the Missouri development finance board.

SB 119—By Schaaf.

An Act to repeal sections 64.940, 67.657, 67.1155, and 70.851, RSMo, and to enact in lieu thereof four new sections relating to certain sports complex authorities, with an emergency clause.

SB 120—By Schaaf.

An Act to repeal section 195.010 and 195.017, RSMo, and to enact in lieu thereof six new sections relating to industrial hemp, with penalty provisions.

SB 121—By Munzlinger.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to infrastructure investment.

SB 122—By Munzlinger.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the accountability of public funds.

SB 123—By Munzlinger.

An Act to repeal sections 144.010, 262.900, 265.300, 265.420, 267.565, and 277.020, RSMo, and to enact in lieu thereof seven new sections relating to captive cervids.

SB 124—By Wasson.

An Act to repeal section 1.100, RSMo, and to enact in lieu thereof one new section relating to population designations in statutes, with an emergency clause.

SB 125—By Wasson.

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to procedures for applying, renewing, and paying for professional licensure.

SB 126—By Wasson.

An Act to repeal section 541.033, RSMo, and to enact in lieu thereof one new section relating to the county in which certain offenses are prosecuted.

SB 127—By Dixon.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to a sales tax for early childhood education programs, with penalty provisions.

SB 128—By Dixon.

An Act to repeal sections 478.463 and 478.464, RSMo, and to enact in lieu thereof two new sections relating to judges in the sixteenth judicial circuit.

SB 129—By Dixon and Sifton.

An Act to amend chapter 472, RSMo, by adding thereto nineteen new sections relating to fiduciary access to digital assets.

SB 130—By Kraus.

An Act to repeal section 136.315, RSMo, and to enact in lieu thereof two new sections relating to attorneys' fees in proceedings regarding the assessment of certain types of taxes.

SB 131—By Kraus.

An Act to repeal sections 301.064, 301.120, 301.130, and 301.144, RSMo, and to enact in lieu thereof four new sections relating to the issuance of state license plates.

SB 132—By Kraus.

An Act to repeal section 143.011, RSMo, and to enact in lieu thereof one new section relating to income taxes.

SB 133—By Chappelle-Nadal.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to the creation of subdistricts in certain school districts.

SB 134—By Chappelle-Nadal.

An Act to repeal section 235.140, RSMo, and to enact in lieu thereof one new section relating to the election of board members of street light maintenance districts.

SB 135—By Curls.

An Act to repeal sections 50.340, 95.535, 204.628, 407.935, 428.019, 442.018, 443.290, 443.300, 443.310, 443.320, 443.325, 443.327, 443.355, 443.380, 443.390, 443.410, 448.080, 448.3-116, 456.003, 493.055, 493.100, and 516.150, RSMo, and to enact in lieu thereof twelve new sections relating to nonjudicial foreclosure proceedings

SB 136—By Curls.

An Act to repeal section 67.1063, RSMo, and to enact in lieu thereof one new section relating to a fee on instruments recorded with the recorder of deeds.

SB 137—By Curls.

An Act to repeal section 67.399, RSMo, and to enact in lieu thereof one new section relating to Kansas City housing ordinances.

SB 138—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to predetermination of health care benefits, with an effective date.

SB 139—By Sater.

An Act to amend chapter 338, RSMo, by adding thereto two new sections relating to the promotion of medication safety.

SB 140—By Sater.

An Act to amend chapter 115, RSMo, by adding thereto one new section relating to ranked-choice voting.

SB 141—By Emery.

An Act to amend chapter 104, RSMo, by adding thereto one new section relating to retirement benefits for elected officials.

SB 142—By Emery.

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to victim impact programs for persons found guilty of driving while intoxicated.

SB 143—By Emery.

An Act to repeal sections 106.030, 106.040, 106.070, 106.080, 106.090, 106.100, 106.110, 106.120, 106.130, 106.150, 106.160, 106.170, 106.180, 106.200, and 106.210, RSMo, and to enact in lieu thereof twelve new sections relating to impeachment trials, with a contingent effective date.

SB 144—By Wallingford.

An Act to amend chapter 143, RSMo, by adding thereto one new section relating to income tax deductions for military personnel.

SB 145—By Wallingford.

An Act to repeal sections 386.020, 393.146, and 393.320, RSMo, and to enact in lieu thereof five new sections relating to small water and sewer corporations.

SB 146—By Romine.

An Act to repeal section 137.556, RSMo, and to enact in lieu thereof one new section relating to expenditures from a county's special road and bridge tax.

SB 147—By Romine.

An Act to repeal section 313.040, RSMo, and to enact in lieu thereof one new section relating to bingo, with a contingent effective date and existing penalty provisions.

SB 148—By Romine.

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the governor's authority to make certain conveyances of state property.

SB 149—By Schatz.

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to the notification by political subdivisions of changes to the property tax rate ceiling.

SB 150—By Schupp.

An Act to repeal section 290.502, RSMo, and to enact in lieu thereof one new section relating to wages paid to employees.

SB 151—By Schupp.

An Act to repeal sections 367.515, 408.100, 408.500, 408.505, and 408.510, and to enact in lieu thereof six new sections relating to consumer credit interest rates, with penalty provisions and a referendum clause.

SB 152—By Schupp.

An Act to repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful transfer of weapons, with penalty provisions.

SB 153—By Schaaf.

An Act to repeal sections 192.945, 195.207, 261.265, and 263.250, RSMo, and to enact in lieu thereof four new sections relating to medical marijuana, with penalty provisions.

SB 154—By Schaaf.

An Act to repeal section 559.021, RSMo, and to enact in lieu thereof two new sections relating to mediated conferences between victims and criminal defendants.

SB 155—By Schaaf.

An Act to repeal section 354.535, RSMo, and to enact in lieu thereof two new sections relating to prescription drug co-payments.

SB 156—By Munzlinger.

An Act to amend chapter 273, RSMo, by adding thereto one new section relating to animal care training.

SB 157—By Dixon.

An Act to repeal section 556.046, RSMo, and to enact in lieu thereof one new section relating to jury instructions on included offenses.

SB 158—By Dixon.

An Act to repeal section 577.037, RSMo, and to enact in lieu thereof one new section relating to admission of chemical test results in intoxication related proceedings, with an emergency clause.

SB 159—By Dixon.

An Act to repeal section 443.320, RSMo, and to enact in lieu thereof one new section relating to the publication of electronic notice of the sale of real estate.

SB 160—By Sater.

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to the foster care bill of rights.

SB 161—By Sater.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Schoolcraft Ozark exploration bicentennial commission.

SB 162—By Romine.

An Act to amend chapter 436, RSMo, by adding thereto eleven new sections relating to consumer legal funding, with penalty provisions.

SB 163—By Romine.

An Act to repeal section 221.111, RSMo, and to enact in lieu thereof one new section relating to a prohibition on certain telecommunications items being possessed in correctional facilities, with penalty provisions.

SB 164—By Romine.

An Act to repeal sections 578.005, 578.007, and 578.011, RSMo, and to enact in lieu thereof three new sections relating to the offense of animal or livestock trespass, with penalty provisions.

SB 165—By Schupp.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to text messaging while operating motor vehicles.

SB 166—By Schaaf.

An Act to repeal sections 37.005, 103.005, 103.008, 103.010, 103.014, 103.016, 103.019, 103.020, 103.023, 103.025, 103.027, 103.029, 103.032, 103.036, 103.039, 103.042, 103.045, 103.047, 103.050, 103.055, 103.059, 103.061, 103.064, 103.070, 103.075, 103.079, 103.080, 103.083, 103.084, 103.085, 103.095, 103.098, 103.100, 103.105, 103.110, 103.115, 103.130, 103.133, 103.145, 103.155, 103.158, 103.163, 103.165, 103.175, and 103.178, RSMo, and to enact in lieu thereof twenty-nine new sections relating to the Missouri consolidated health care plan, with an effective date for certain sections.

SB 167—By Schaaf.

An Act to repeal section 115.133, RSMo, and to enact in lieu thereof one new section relating to the right of suffrage for former felons.

SB 168—By Schaaf.

An Act to repeal section 376.451, RSMo, and to enact in lieu thereof one new section relating to health insurance discrimination.

SB 169—By Dixon.

An Act to repeal section 488.2250, RSMo, and to enact in lieu thereof one new section relating to court reporters.

SB 170—By Dixon and Sifton.

An Act to repeal section 456.950, RSMo, and to enact in lieu thereof one new section relating to qualified spousal trusts.

SB 171—By Dixon and Sifton.

An Act to repeal sections 456.1-103 and 456.8-808, RSMo, and to enact in lieu thereof two new sections relating to trusts directed by trust protectors

SB 172—By Romine.

An Act to repeal section 301.227, RSMo, and to enact in lieu thereof one new section relating to titling of motor vehicles issued a junking certificate.

SB 173—By Schaaf.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the participation of home school students in public school activities.

SB 174—By Schaaf.

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to replacement vaccines.

SB 175—By Schaaf.

An Act to repeal section 37.110, RSMo, and to enact in lieu thereof one new section relating to the consolidation of state-owned data centers to the state data center.

SB 176—By Dixon.

An Act to repeal sections 105.478 and 576.040, RSMo, and to enact in lieu thereof six new sections relating to official misconduct, with penalty provisions.

SB 177—By Dixon.

An Act to repeal section 217.703, RSMo, and to enact in lieu thereof one new section relating to earned compliance credits.

SB 178—By Dixon.

An Act to amend chapter 566, RSMo, by adding thereto three new sections relating to criminal offenses of a sexual nature, with penalty provisions.

SB 179—By Brown.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for charitable contributions to certain organizations.

SB 180—By Nasheed.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to restraint of pregnant or postpartum offenders.

SB 181—By Nasheed.

An Act to amend chapter 571, RSMo, by adding thereto one new section relating to a reporting requirement for lost or stolen firearms.

SB 182—By Onder.

An Act to repeal sections 34.209, 34.212, and 34.216, RSMo, and to enact in lieu thereof three new sections relating to public contracts.

SB 183—By Hoskins.

An Act to repeal sections 1.310 and 143.173, RSMo, and to enact in lieu thereof two new sections relating to the collection of money by public entities.

SB 184—By Emery.

An Act to amend chapter 393, RSMo, by adding thereto two new sections relating to the implementation of a revenue stabilization mechanism for certain public utilities.

SB 185—By Onder, Chappelle-Nadal and Nasheed.

An Act to amend chapter 387, RSMo, by adding thereto eighteen new sections relating to transportation network companies, with penalty provisions.

SB 186—By Emery.

An Act to amend chapter 71, RSMo, by adding thereto one new section relating to the authority of local governments to offer certain services.

SB 187—By Hegeman.

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to public utility vehicles, with an existing penalty provision.

SB 188—By Munzlinger.

An Act to repeal sections 173.1101, 173.1102, 173.1104, 173.1105, and 173.1107, RSMo, and to enact in lieu thereof five new sections relating to virtual education.

SB 189—By Kehoe.

An Act to repeal sections 288.036, 288.060, 288.120, 288.122, and 288.330, RSMo, and to enact in lieu thereof five new section relating to employment security.

SB 190—By Emery.

An Act to repeal sections 386.266, 386.390, 393.1025, 393.1030, and 393.1075, RSMo, and to enact in lieu thereof twelve new sections relating to ratemaking for public utilities, with an existing penalty provision.

SB 191—By Wallingford.

An Act to repeal section 94.900, RSMo, and to enact in lieu thereof one new section relating to sales taxes for public safety.

SB 192—By Wallingford.

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the senior services growth and development program.

SB 193—By Wallingford.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to dental insurance.

SB 194—By Wallingford.

An Act to repeal section 354.603, RSMo, and to enact in lieu thereof one new section relating to the accreditation of managed care plans.

SB 195—By Koenig.

An Act to repeal section 475.024, RSMo, and to enact in lieu thereof four new sections relating to guardianships.

SB 196—By Koenig.

An Act to repeal section 188.075, RSMo, and to enact in lieu thereof one new section relating to the jurisdiction of the attorney general to enforce state abortion laws, with penalty provisions.

SB 197—By Rowden.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an earned income tax credit.

SB 198—By Schaaf.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to weigh station and inspection site bypass services.

SB 199—By Wasson.

An Act to repeal section 99.845, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

SB 200—By Libla.

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

SB 201—By Onder.

An Act to amend chapter 285, RSMo, by adding thereto one new section relating to the employer-employee relationship.

SB 202—By Rowden.

An Act to repeal sections 105.470, 105.477, and 105.955, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof four new sections relating to lobbyist expenditures, with an existing penalty provision.

SB 203—By Sifton.

An Act to repeal section 208.146, RSMo, and to enact in lieu thereof one new section relating to the MO HealthNet buy-in for workers with disabilities program.

SB 204—By Sifton.

An Act to repeal section 650.055, RSMo, and to enact in lieu thereof one new section relating to the collection of biological samples from individuals arrested for felony offenses, with an existing penalty provision.

SB 205—By Sifton.

An Act to repeal sections 290.400, 290.410, 290.440, and 290.450, RSMo, and to enact in lieu thereof three new sections relating to employment practices relating to gender.

SB 206—By Sifton.

An Act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to school antibullying policies.

SB 207—By Sifton.

An Act to repeal sections 115.275 and 115.279, RSMo, section 115.291 as enacted by house bill no. 1480, ninety-eighth general assembly, second regular session and section 115.291 as enacted by senate bills nos. 34 & 105, ninety-eighth general assembly, first regular session, and to enact in lieu thereof three new sections relating to absentee voting for emergency workers, with a delayed effective date for a certain section.

SB 208—By Sifton.

An Act to repeal sections 115.155 and 115.631, RSMo, and to enact in lieu thereof two new sections relating to election offenses, with penalty provisions.

SB 209—By Wallingford.

An Act to repeal section 88.700, RSMo, and to enact in lieu thereof one new section relating to protests of road improvements in cities of the fourth classification.

SB 210—By Onder.

An Act to repeal sections 105.500 and 105.520, RSMo, and to enact in lieu thereof eighteen new sections relating to public labor organizations, with penalty provisions.

SB 211—By Wasson.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the administration of statewide resilience and recovery.

SB 212—By Sater.

An Act to amend chapter 192, RSMo, by adding thereto on new section relating to the inspection of certain x-ray systems.

SB 213—By Rowden.

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to time-limited offers to settle tort claims.

SB 214—By Emery.

An Act to repeal sections 386.266 and 393.1075, RSMo, and to enact in lieu thereof nineteen new sections relating to ratemaking for public utilities, with an existing penalty provision.

SB 215—By Emery.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to ratemaking for public utilities.

SB 216—By Cunningham.

An Act to repeal sections 324.001 and 621.045, RSMo, and to enact in lieu thereof thirteen new sections relating to the registering of roofing contractors, with penalty provisions.

SB 217—By Nasheed.

An Act to repeal section 135.647, RSMo, and to enact in lieu thereof one new section relating to soup kitchens.

SB 218—By Nasheed.

An Act to amend chapter 660, RSMo, by adding thereto one new section relating to homelessness.

SB 219—By Nasheed.

An Act to amend chapter 167, RSMo, by adding thereto one new section relating to the creation of the Missouri care counts program.

SB 220—By Riddle.

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to time limitations for filing claims which arise out of a defective or unsafe condition of a product.

SB 221—By Riddle.

An Act to repeal section 552.020, RSMo, and to enact in lieu thereof one new section relating to persons committed to the department of mental health due to the lack of mental fitness to stand trial.

SB 222—By Riddle.

An Act to amend chapter 307, RSMo, by adding thereto one new section relating to vehicle lighting equipment.

SB 223—By Schatz.

An Act to repeal section 303.020, RSMo, and to enact in lieu thereof one new section relating to motor vehicle insurance coverage requirements.

SB 224—By Schatz.

An Act to repeal section 311.355, RSMo, and to enact in lieu thereof one new section relating to permitted activities of liquor retailers.

SB 225—By Schatz.

An Act to repeal section 304.170, RSMo, and to enact in lieu thereof one new section relating to the length of motor vehicles operated on highways.

SB 226—By Koenig.

An Act to repeal sections 32.115, 99.1205, 100.286, 100.850, 135.110, 135.309, 135.363, 135.403, 135.484, 135.535, 135.700, 135.766, 135.967, 135.968, 253.557, 348.302, 348.306, 447.708, 620.650, 620.1039, 620.1881, and 620.2020, RSMo, and to enact in lieu thereof twenty-two new sections relating to the transferability of tax credits.

SB 227—By Koenig.

An Act to repeal section 329.010, RSMo, and to enact in lieu thereof two new sections relating to the practice of hair braiding.

SB 228—By Koenig.

An Act to repeal section 104.1003, RSMo, and to enact in lieu thereof two new sections relating to state employee retirement systems.

SB 229—By Riddle.

An Act to repeal section 630.945, RSMo, and to enact in lieu thereof one new section relating to employees working in certain mental health facilities.

SB 230—By Riddle.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to out-of-state abortion referrals.

SB 231—By Schatz.

An Act to amend chapter 195, RSMo, by adding thereto seven new sections relating to the monitoring of certain prescribed controlled substances, with penalty provisions.

SB 232—By Schatz.

An Act to repeal section 393.1003, RSMo, and to enact in lieu thereof one new section relating to population changes in a certain county for purposes of water corporations collecting an infrastructure system replacement surcharge, with an emergency clause.

SB 233—By Wallingford.

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty new sections relating to emergency communication services, with penalty provisions.

SB 234—By Libla.

An Act to repeal section 535.300, RSMo, and to enact in lieu thereof one new section relating to security deposits held by landlords.

SB 235—By Eigel.

An Act to repeal section 190.015, RSMo, and to enact in lieu thereof one new section relating to ambulance services in certain cities.

SB 236—By Schatz.

An Act to amend chapter 287, RSMo, by adding thereto one new section relating to a database for workers' compensation claims, with a penalty provision.

SB 237—By Rowden.

An Act to repeal section 538.205, RSMo, and to enact in lieu thereof one new section relating to the liability of an employee of a health care provider.

SB 238—By Onder.

An Act to repeal sections 161.670 and 167.121, RSMo, and to enact in lieu thereof two new sections relating to course access in education, with a delayed effective date.

SB 239—By Rowden.

An Act to repeal sections 311.510 and 311.540, RSMo, and to enact in lieu thereof two new sections relating to the inspection of alcoholic beverages.

SB 240—By Schatz.

An Act to amend chapter 324, RSMo, by adding thereto nine new sections relating to the statewide licensure of electrical contractors, with penalty provisions.

SB 241—By Schatz.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to poaching, with penalty provisions.

SB 242—By Emery.

An Act to repeal section 393.1012, RSMo, and to enact in lieu thereof twelve new sections relating to ratemaking for gas corporations.

SB 243—By Hegeman.

An Act to repeal sections 304.001, 304.017, and 304.044, RSMo, and to enact in lieu thereof three new sections relating to the use of motor vehicle platooning systems on Missouri roads, with existing penalty provisions.

SB 244—By Rowden.

An Act to repeal section 302.183, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

SJR 1—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 23 of article VIII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to campaign finance.

SJR 2—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VI of the Constitution of Missouri, by adding thereto two new sections relating to certain sports complex authorities.

SJR 3—By Schaaf.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 30(d) and 32 of article IV of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to state highways.

SJR 4—By Chappelle-Nadal.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article VI of the Constitution of Missouri, by adding thereto one new section relating to a recall election for the St. Louis county executive.

SJR 5—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

SJR 6—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article V of the Constitution of Missouri relating to judicial procedure.

SJR 7—By Silvey.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 5, 7, 8, and 9, of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the Missouri general assembly.

SJR 8—By Romine.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property exempt from taxation.

SJR 9—By Romine.

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(a) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bingo.

SJR 10—By Holsman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 2, 5, 7, 8, and 9 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to members of the general assembly.

SJR 11—By Hegeman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 25(a) of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the nonpartisan court plan.

SJR 12—By Eigel.

Joint Resolution submitting to the qualified voters of Missouri, an amendment to article IV of the Constitution of Missouri, by adopting one new section relating to the state budget.

RESOLUTIONS

Senator Richard offered the following resolution:

SENATE RESOLUTION NO. 4

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Thirty-second District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, First Regular Session, that Senate Rules 25 and 28 be amended to read as follows:

“Rule 25. The president pro tem of the senate shall appoint the following standing committees:

1. Committee on Administration, 5 members.
2. Committee on Agriculture, Food Production and Outdoor Resources, 8 members.
3. Committee on Appropriations, 11 members.
4. Committee on Commerce, Consumer Protection, Energy and the Environment, 11 members.
5. **Committee on Economic Development, 11 members.**
6. Committee on Education, [8] 9 members.
- [6. Committee on Financial and Governmental Organizations and Elections, 11 members.]
7. **Committee on Fiscal Oversight, 7 members.**
8. Committee on General Laws [and Pensions], 7 members.
- [8. Committee on Governmental Accountability and Fiscal Oversight, 8 members.]
9. **Committee on Government Reform, 7 members.**
10. Committee on Gubernatorial Appointments, 11 members.
- [10. Committee on Jobs, Economic Development and Local Government, 11 members.]
11. **Committee on Health and Pensions, 7 members.**
12. **Committee on Insurance and Banking, 7 members.**
- [11.] 13. Committee on the Judiciary and Civil and Criminal Jurisprudence, 7 members.

14. Committee on Local Government and Elections, 7 members.**15. Committee on Professional Registration, 7 members.**

[12.] **16.** Committee on Progress and Development, [5] **4** members.

[13.] **17.** Committee on Rules, Joint Rules, Resolutions and Ethics, 7 members.

[14.] **18.** Committee on Seniors, Families and Children, 7 members.

[15.] **19.** Committee on Small Business[, Insurance] and Industry, 8 members.

[16.] **20.** Committee on Transportation, Infrastructure and Public Safety, 7 members.

[17.] **21.** Committee on [Veterans' Affairs and Health] **Veterans and Military Affairs**, [10] 7 members.

[18.] **22.** Committee on Ways and Means, 7 members.

All committees shall have leave to report at any time. The chairman of any standing committee may appoint one or more subcommittees, with the approval of the committee, to hold hearings on bills referred to the committee and shall report its findings to the standing committee.

Rule 28. The duties of the standing committees of the senate are as follows:

1. The Committee on Administration shall superintend and have sole and complete control of all financial obligations and business affairs of the senate, the assignment of offices and seats, and the supervision of certain designated employees. The committee shall be authorized to employ an administrator, who shall be provided with office space as designated by the committee. The administrator or the secretary of the senate may be authorized to act for the committee, but only in the manner and to the extent as may have previously been authorized by the committee with such authorization entered in the minutes of the committee. No voucher calling for payment from the contingent fund of the senate shall be drawn, nor shall any valid obligation exist against the contingent fund until the same shall have been approved by the committee or its administrator and be recorded in the minutes thereof. All vouchers must be signed by the chairman of the committee or the administrator, if so authorized. The committee or its administrator shall provide for the receiving and receipt of all supplies, equipment and furnishings purchased for the account of the senate, and the distribution thereof. The administrator shall keep a detailed running account of all transactions and shall open his records for inspection to any senator who so requests. All employees other than elected officials of the senate and employees of the individual senators, shall be selected by the committee, who shall control their tenure, set their compensation, assign their duties and exercise complete supervision over them. When necessary, the committee shall assign office space and seats in the senate chamber.

2. The Committee on Agriculture, Food Production and Outdoor Resources shall consider and report upon bills and matters referred to it relating to animals, animal disease, pest control, agriculture, food production, the state park system, conservation of the state's natural resources, soil and water, wildlife and game refuges.

3. The Committee on Appropriations shall consider and report upon all bills and matters referred to it pertaining to general appropriations and disbursement of public money.

4. The Committee on Commerce, Consumer Protection, Energy and the Environment shall consider and report upon bills and matters referred to it relating to the development of state commerce, the commercial sector, consumer protection, telecommunications and cable issues, the development and conservation of

energy resources and the disposal of solid, hazardous and nuclear wastes and other matters relating to environmental preservation.

5. The Committee on Economic Development shall consider and report upon bills and matters referred to it relating to the promotion of economic development, creation and retention of jobs, tourism and the promotion of tourism as a state industry, and community and business development.

6. The Committee on Education shall consider and report upon bills and matters referred to it relating to education in the state, including the public schools, libraries, programs and institutions of higher learning.

[6. The Committee on Financial and Governmental Organizations and Elections shall consider and report upon bills and matters referred to it relating to banks and banking, savings and loan associations and other financial institutions in the state. The committee shall also consider and report upon bills and matters referred to it relating to the reorganization, establishment, consolidation or abolition of departments, boards, bureaus and commissions of state government, the internal operation of any state agency and the effect of federal legislation upon any state agency. The committee shall consider and report upon bills and matters referred to it relating to election law.]

7. The Committee on Fiscal Oversight shall consider and report upon all bills, except regular appropriation bills, that require new appropriations or expenditures of appropriated funds in excess of \$100,000, or that reduce such funds by that amount during any of the first three years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on Fiscal Oversight for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on Fiscal Oversight for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during any of the first three years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on Fiscal Oversight. The author or first named sponsor of a bill referred to the Committee on Fiscal Oversight shall be entitled to a hearing on his/her bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on Fiscal Oversight may recommend the passage of a bill subject to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted, the bill shall again be referred to the Committee on Fiscal Oversight.

8. The Committee on General Laws [and Pensions] shall consider and report upon bills and matters referred to it relating to general topics [and retirement and pensions and pension plans].

[8. The Committee on Governmental Accountability and Fiscal Oversight shall review, study, and investigate all matters referred to it relating to the application, administration, execution, and effectiveness of all state laws and programs, the organization and operation of state agencies and other entities having responsibility for the administration and execution of state laws and programs, and any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation to improve the efficiency of any state law or program. Any findings of the committee may be reported to the senate and the Committee on Appropriations. The committee shall also consider and report upon bills and matters referred to it relating to improving governmental efficiency and management. The Committee on

Governmental Accountability and Fiscal Oversight shall also consider and report upon all bills, except regular appropriation bills, that require new appropriations or expenditures of appropriated funds in excess of \$100,000, or that reduce such funds by that amount during any of the first three years that public funds will be used to fully implement the provisions of the Act. Any such senate bill, after having been approved by the regular standing committee to which it has been assigned and after the same has been perfected and ordered printed by the senate, shall thereafter be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its submission to the senate for final passage thereof by the senate. Any such house bill after having been reported by the regular standing committee to which it was assigned shall be referred to the Committee on Governmental Accountability and Fiscal Oversight for its consideration prior to its being considered by the senate for third reading and final passage. Any senate or house bill, amended so as to increase expenditures or reduce revenue in excess of \$100,000 during any of the first three years that public funds will be used to fully implement its provisions shall upon timely motion be referred or re-referred to the Committee on Governmental Accountability and Fiscal Oversight. The author or first-named sponsor of a bill referred to the Committee on Governmental Accountability and Fiscal Oversight shall be entitled to a hearing on his/her bill but such committee hearing shall be limited to the reception of testimony presented by the author or first-named sponsor in person and none other. The Committee on Governmental Accountability and Fiscal Oversight may recommend the passage of a bill subject to the adoption of an amendment specifying a certain effective date proposed by the committee, and if such an amendment is not adopted, the bill shall again be referred to the Committee on Governmental Accountability and Fiscal Oversight.]

9. The Committee on Government Reform shall review, study, and investigate all matters referred to it relating to the application, administration, execution, and effectiveness of all state laws and programs, the organization and operation of state agencies and other entities having responsibility for the administration and execution of state laws and programs, and any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation to improve the efficiency of any state law or program. Any findings of the committee may be reported to the senate and the Committee on Appropriations. The committee shall also consider and report upon bills and matters referred to it relating to improving governmental efficiency and management. The committee shall also consider and report upon bills and matters referred to it relating to improving governmental efficiency and management.

10. The Committee on Gubernatorial Appointments shall consider and report upon gubernatorial appointments referred to it.

[10. The Committee on Jobs, Economic Development and Local Government shall consider and report upon bills and matters referred to it relating to the promotion of economic development, the creation and retention of jobs, tourism and the promotion of tourism as a state industry, community and business development, county government, township organizations and political subdivisions.]

11. The Committee on Health and Pensions shall consider and report upon bills and matters referred to it relating to health, MO HealthNet, alternative health care delivery system proposals, public health, disease control, hospital operations, mental health, developmental disabilities, and substance abuse and addiction. The committee shall also consider and report upon bills and matters referred to it concerning to retirement and pensions and pension plans.

12. The Committee on Insurance and Banking shall consider and report upon bills and matters referred to it relating to the ownership and operation of insurance and banking; and life, accident,

indemnity and other forms of insurance. The committee shall also take into consideration and report on bills and matters referred to it relating to banks and banking, savings and loan associations, and other financial institutions in the state.

13. The Committee on the Judiciary and Civil and Criminal Jurisprudence shall consider and report upon bills and matters relating to the judicial department of the state including the practice of the courts of this state, civil procedure and criminal laws, criminal costs and all related matters. The Committee shall also consider and report upon bills and matters referred to it relating to probation or parole of persons sentenced under the criminal laws of the state.

14. The Committee on Local Government and Elections shall consider and report upon bills and matters referred to it relating to the county government, township organizations, and political subdivisions. The committee shall consider and report upon bills and matters referred to it relating to election law.

15. The Committee on Professional Registration shall consider and report upon bills and matters referred to it relating to the reorganization, establishment, consolidation or abolition of departments, boards, bureaus and commissions of state government, the internal operation of any state agency and the effect of federal legislation upon any state agency.

[12.] **16.** The Committee on Progress and Development shall consider and report upon bills and matters referred to it concerning the changing or maintenance of issues relating to human welfare.

[13.] **17.** The Committee on Rules, Joint Rules, Resolutions and Ethics shall consider and report on rules for the government of the senate and joint rules when requested by the senate, shall consider, examine and report upon bills and matters referred to it relating to ethics and the conduct of public officials and employees, shall recommend to the Senate the rules by which investigations and disciplinary proceedings will be conducted, and shall examine and report upon all resolutions and other matters which may be appropriately referred to it. The committee shall see that bills and amendments are properly perfected and printed. The committee shall examine all Truly Agreed To and Finally Passed bills carefully, and report that the printed copies furnished the senators are correct. Upon the written request of the sponsor or floor handler of a bill, the committee may recommend that any such bill on the calendars for perfection or house bills on third reading be called up or considered out of order in which the bill appears on that calendar. A recommendation to consider bills out of order shall require approval by a majority of the committee with the concurrence of two-thirds of the senate members. No floor debate shall be allowed on the motion to adopt the committee report. The Committee shall examine bills placed on the Consent Calendar and may, by majority vote, remove any bill from the consent calendar within the time period prescribed by Rule 45, that it determines is too controversial to be treated as a consent bill.

[14.] **18.** The Committee on Seniors, Families and Children shall consider and report upon bills and matters referred to it concerning the preservation of the quality of life for senior citizens, nursing home and boarding home operations, alternative care programs for the elderly, and family and children's issues. It shall also consider and report upon bills and matters referred to it concerning income maintenance, social services, and child support enforcement.

[15.] **19.** The Committee on Small Business[, Insurance] and Industry shall consider and report upon bills and matters referred to it relating to the ownership and operation of small businesses[; and life, accident, indemnity and other forms of insurance]. The committee shall also take into consideration and

report on bills relating to labor management, fair employment standards, workers' compensation and employment security within the state and shall examine bills referred to it relating to industrial development.

[16.] **20.** The Committee on Transportation, Infrastructure and Public Safety shall consider and report upon bills and matters referred to it concerning roads, highways, bridges, airports and aviation, railroads, port authorities, and other means of transportation and matters relating to motor vehicles, motor vehicle registration and drivers' licenses and matters relating to the safety of the general public.

[17.] **21.** The Committee on [Veterans' Affairs and Health] **Veterans and Military Affairs** shall consider and report upon bills and matters concerning veterans' **and military** affairs. [The committee shall also consider and report upon bills and matters referred to it concerning health, MO HealthNet, alternative health care delivery system proposals, public health, disease control, hospital operations, mental health, developmental disabilities, and substance abuse and addiction.]

[18.] **22.** The Committee on Ways and Means shall consider and report upon bills and matters referred to it concerning the revenue and public debt of the state, and interest thereon, the assessment of real and personal property, the classification of property for taxation purposes and gaming."

CONCURRENT RESOLUTIONS

Senator Richard offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that the President Pro Tem of the Senate and the Speaker of the House appoint a committee of thirty-six members, one-half from the Senate and one-half from the House to cooperate in making all necessary plans and arrangements for the participation of the General Assembly in the inauguration of the executive officials of the State of Missouri on January 9, 2017; and

BE IT FURTHER RESOLVED that the joint committee be authorized to cooperate with any other committees, officials or persons planning and executing the inaugural ceremonies keeping with the traditions of the great State of Missouri.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 245—By Sater.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to shared savings incentive programs, with an effective date.

SB 246—By Kraus.

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof one new section relating to net metering, with a penalty provision.

SB 247—By Kraus.

An Act to repeal sections 144.026, 144.030, and 144.054, RSMo, and to enact in lieu thereof three new sections relating to sales and use tax exemptions.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the following be elected permanent officers of the House of Representatives of the Ninety-ninth General Assembly:

Chief Clerk D. Adam Crubliiss
Doorkeeper Don Knollmeyer
Sergeant-at-Arms Randy Werner
Chaplain Reverend Monsignor Robert Kurwicki

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 3**.

HOUSE RESOLUTION NO. 3

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business; and

BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-ninth General Assembly is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers, to wit:

Speaker Todd Richardson
Speaker Pro Tem Elijah Haahr
Chief Clerk D. Adam Crumbliss
Doorkeeper Don Knollmeyer
Sergeant-at-Arms Randy Werner
Chaplain Reverend Monsignor Robert Kurwicki

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 4**.

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-ninth General Assembly, First Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 1**.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Ninety-ninth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Tuesday, January 17, 2017, to receive a message from His Excellency, the Honorable Eric Greitens, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten from the House of Representatives be appointed by the Speaker to act with a committee of ten from the Senate, appointed by the President Pro Tempore, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-ninth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HCR 2**.

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED, by the House of Representatives of the Ninety-ninth General Assembly, First Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Tuesday, January 24, 2017, to receive a message from the Honorable Patricia Breckenridge, Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten from the House of Representatives be appointed by the Speaker to act with a committee of ten from the Senate, appointed by the President Pro Tempore, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform Her Honor that the House of Representatives and the Senate of the Ninety-ninth General Assembly, First Regular Session, are now organized and ready for business and to receive any message or communication that Her Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

COMMITTEE APPOINTMENTS

President Pro Tem Richard submitted the following committee appointments:

Administration

Senator Ron Richard, Chair

Senator Mike Kehoe, Vice-chair

Senator Shalonn “Kiki” Curls

Senator Jeanie Riddle

Senator Gina Walsh

Gubernatorial Appointments

Senator Ron Richard, Chair

Senator Mike Kehoe, Vice-chair

Senator Shalonn “Kiki” Curls

Senator Ed Emery

Senator Dan Hegeman

Senator Brian Munzlinger

Senator Jamilah Nasheed

Senator Jeanie Riddle

Senator Dave Schatz

Senator Gina Walsh

Senator Jay Wasson

Rules, Joint Rules, Resolutions and Ethics

Senator Mike Kehoe, Chair

Senator Ron Richard, Vice-chair

Senator Bob Dixon

Senator Bill Eigel

Senator Dan Hegeman

Senator Jason Holsman

Senator Gina Walsh

President Pro Tem Richard referred the gubernatorial appointments to the Committee on Gubernatorial Appointments.

INTRODUCTIONS OF GUESTS

Senator Rizzo introduced to the Senate, the Physician of the Day, James DiRenna, DO, Kansas City.

Senator Richard introduced to the Senate, his wife, Patty; Judge Dan Scott, Southern District Court of Appeals; Gwen Delano and Nick Myers.

Senator Walsh introduced to the Senate, her mother, Maureen Rone; her daughter, Sarah Walsh Rone; her brother and his wife, Joe and Tracy Rone and their son, Patrick Joseph; and her aunt, Kathleen Hanrahan, St. Louis; and Patrick Joseph was made an honorary page.

Senator Romine introduced to the Senate, his wife, Kathy, Farmington.

Senator Cunningham introduced to the Senate, Nikki and Lauren Whitehead, Marshfield.

Senator Holsman introduced to the Senate, his wife, Robyn, Kansas City.

Senator Libla introduced to the Senate, his daughter, Cassie Gholson, and granddaughter, Elizabeth, Columbia.

Senator Wallingford introduced to the Senate, his wife, Suzy, Cape Girardeau.

Senator Onder introduced to the Senate, his wife, Allison, and their children Bobby, Elizabeth and Peter, Lake St. Louis.

Senator Silvey introduced to the Senate, his wife, Angela, Kansas City; his grandfather, Harmon Kennedy, Island City; and his parents, David and Debbie Silvey, Guilford.

Senator Brown introduced to the Senate, his wife, Kathy, Rolla.

Senator Kehoe introduced to the Senate, his wife, Claudia, Jefferson City.

Senator Hoskins introduced to the Senate, his parents, Barry and Donna Hoskins; his children, Cole and Amelia; and his fiancée, Michelle Moore, Warrensburg.

Senator Sifton introduced to the Senate, his mother, Barbara Sifton, Bisbee, Arizona; and his children, Stephen and Madelyn, St. Louis.

Senator Rowden introduced to the Senate, his parents, Rick and Julie Rowden; and his son, Willem, Columbia.

Senator Koenig introduced to the Senate, his parents, Paul and Diana Koenig, Ballwin; his wife, Brooke; and their children, Jeremiah, Isaac and Gideon, Manchester.

Senator Rizzo introduced to the Senate, his parents, Henry and Silvia Rizzo; his aunt, Teri Rizzo; his wife, Lindsey Runnels; and their daughters, Sofia and Ella, Kansas City.

Senator Eigel introduced to the Senate, his wife, Amanda; and their children Lisa and Kevin, Weldon Spring.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SECOND DAY—THURSDAY, JANUARY 5, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Schaaf	SB 12-Wasson
SB 2-Schaaf	SB 13-Dixon
SB 3-Schaaf	SB 14-Dixon
SB 4-Richard	SB 15-Dixon
SB 5-Richard	SB 16-Kraus
SB 6-Richard	SB 17-Kraus
SB 7-Munzlinger	SB 18-Kraus
SB 8-Munzlinger	SB 19-Brown
SB 9-Munzlinger	SB 20-Brown
SB 10-Wasson and Richard	SB 21-Brown
SB 11-Wasson	SB 22-Chappelle-Nadal

SB 23-Chappelle-Nadal	SB 58-Sifton
SB 24-Chappelle-Nadal	SB 59-Sifton
SB 25-Curls	SB 60-Sifton
SB 26-Curls	SB 61-Hegeman
SB 27-Curls	SB 62-Hegeman
SB 28-Sater	SB 63-Hegeman
SB 29-Sater	SB 64-Schatz
SB 30-Sater	SB 65-Schatz
SB 31-Emery	SB 66-Schatz
SB 32-Emery	SB 67-Onder, et al
SB 33-Emery	SB 68-Onder and Nasheed
SB 34-Cunningham	SB 69-Schupp
SB 35-Cunningham	SB 70-Schupp
SB 36-Cunningham	SB 71-Schupp
SB 37-Silvey	SB 72-Schaaf
SB 38-Silvey	SB 73-Schaaf
SB 39-Silvey	SB 74-Schaaf
SB 40-Wallingford	SB 75-Munzlinger
SB 41-Wallingford and Emery	SB 76-Munzlinger
SB 42-Wallingford	SB 77-Munzlinger
SB 43-Romine	SB 78-Wasson
SB 44-Romine	SB 79-Wasson
SB 45-Romine	SB 80-Wasson
SB 46-Libla	SB 81-Dixon
SB 47-Libla	SB 82-Dixon
SB 49-Walsh	SB 83-Dixon
SB 50-Walsh	SB 84-Kraus
SB 51-Walsh	SB 85-Kraus
SB 52-Nasheed	SB 86-Kraus
SB 53-Nasheed	SB 87-Brown
SB 54-Nasheed	SB 88-Brown
SB 55-Holsman	SB 89-Chappelle-Nadal
SB 56-Holsman	SB 90-Chappelle-Nadal
SB 57-Holsman	SB 91-Chappelle-Nadal

SB 92-Curls	SB 126-Wasson
SB 93-Curls	SB 127-Dixon
SB 94-Curls	SB 128-Dixon
SB 95-Sater	SB 129-Dixon and Sifton
SB 96-Sater and Emery	SB 130-Kraus
SB 97-Sater	SB 131-Kraus
SB 98-Emery	SB 132-Kraus
SB 99-Emery	SB 133-Chappelle-Nadal
SB 100-Emery	SB 134-Chappelle-Nadal
SB 101-Cunningham	SB 135-Curls
SB 102-Cunningham	SB 136-Curls
SB 103-Wallingford	SB 137-Curls
SB 104-Wallingford	SB 138-Sater
SB 105-Wallingford	SB 139-Sater
SB 106-Romine	SB 140-Sater
SB 107-Romine	SB 141-Emery
SB 108-Romine	SB 142-Emery
SB 109-Holsman	SB 143-Emery
SB 110-Holsman	SB 144-Wallingford
SB 111-Hegeman	SB 145-Wallingford
SB 112-Schatz	SB 146-Romine
SB 113-Schatz	SB 147-Romine
SB 114-Schatz	SB 148-Romine
SB 115-Schupp	SB 149-Schatz
SB 116-Schupp	SB 150-Schupp
SB 117-Schupp	SB 151-Schupp
SB 118-Schaaf	SB 152-Schupp
SB 119-Schaaf	SB 153-Schaaf
SB 120-Schaaf	SB 154-Schaaf
SB 121-Munzlinger	SB 155-Schaaf
SB 122-Munzlinger	SB 156-Munzlinger
SB 123-Munzlinger	SB 157-Dixon
SB 124-Wasson	SB 158-Dixon
SB 125-Wasson	SB 159-Dixon

SB 160-Sater	SB 194-Wallingford
SB 161-Sater	SB 195-Koenig
SB 162-Romine	SB 196-Koenig
SB 163-Romine	SB 197-Rowden
SB 164-Romine	SB 198-Schaaf
SB 165-Schupp	SB 199-Wasson
SB 166-Schaaf	SB 200-Libla
SB 167-Schaaf	SB 201-Onder
SB 168-Schaaf	SB 202-Rowden
SB 169-Dixon	SB 203-Sifton
SB 170-Dixon and Sifton	SB 204-Sifton
SB 171-Dixon and Sifton	SB 205-Sifton
SB 172-Romine	SB 206-Sifton
SB 173-Schaaf	SB 207-Sifton
SB 174-Schaaf	SB 208-Sifton
SB 175-Schaaf	SB 209-Wallingford
SB 176-Dixon	SB 210-Onder
SB 177-Dixon	SB 211-Wasson
SB 178-Dixon	SB 212-Sater
SB 179-Brown	SB 213-Rowden
SB 180-Nasheed	SB 214-Emery
SB 181-Nasheed	SB 215-Emery
SB 182-Onder	SB 216-Cunningham
SB 183-Hoskins	SB 217-Nasheed
SB 184-Emery	SB 218-Nasheed
SB 185-Onder, et al	SB 219-Nasheed
SB 186-Emery	SB 220-Riddle
SB 187-Hegeman	SB 221-Riddle
SB 188-Munzlinger	SB 222-Riddle
SB 189-Kehoe	SB 223-Schatz
SB 190-Emery	SB 224-Schatz
SB 191-Wallingford	SB 225-Schatz
SB 192-Wallingford	SB 226-Koenig
SB 193-Wallingford	SB 227-Koenig

SB 228-Koenig	SB 244-Rowden
SB 229-Riddle	SB 245-Sater
SB 230-Riddle	SB 246-Kraus
SB 231-Schatz	SB 247-Kraus
SB 232-Schatz	SJR 1-Schaaf
SB 233-Wallingford	SJR 2-Schaaf
SB 234-Libla	SJR 3-Schaaf
SB 235-Eigel	SJR 4-Chappelle-Nadal
SB 236-Schatz	SJR 5-Emery
SB 237-Rowden	SJR 6-Emery
SB 238-Onder	SJR 7-Silvey
SB 239-Rowden	SJR 8-Romine
SB 240-Schatz	SJR 9-Romine
SB 241-Schatz	SJR 10-Holsman
SB 242-Emery	SJR 11-Hegeman
SB 243-Hegeman	SJR 12-Eigel

INFORMAL CALENDAR

RESOLUTIONS

SCR 1-Richard	HCR 1-Cierpiot (Kehoe)
SR 4-Richard	HCR 2-Cierpiot (Kehoe)

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Journal of the Senate

FIRST REGULAR SESSION

SECOND DAY—THURSDAY, JANUARY 5, 2017

The Senate met pursuant to adjournment.

Senator Kraus in the Chair.

Reverend Carl Gauck offered the following prayer:

Heavenly Father, it has been a short but important week for us and we are grateful to be here. We ask that You watch “our going out and coming in” keeping us mindful of our task of driving being fully responsible to this privilege and for the safety of all on our highways, bringing us safely home. We ask that You bless our families and friends and bless our time there that it is fruitful and loving. And we be found in Your presence this weekend. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

Senator Kehoe requested unanimous consent of the Senate to correct the Senate Journal for Wednesday, January 4, 2017, Page 49, Line 9, by adding after said line the following:

Senator Curls offered Senate Resolution No. 3, regarding Doris Nadine Dial, Kansas City, which was adopted.

Which request was granted.

The Journal of the previous day was read and approved as corrected.

Senator Kehoe announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senators

Parson Schatz—2

Vacancies—1

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 5, regarding Eagle Scout Ryan Joseph Bolden, Pleasant Hill, which was adopted.

Senator Wallingford offered Senate Resolution No. 6, regarding Linda Sandlin, Millersville, which was adopted.

Senator Wallingford offered Senate Resolution No. 7, regarding Rushing Marine Service, LLC, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 8, regarding Byron L. Lang, Incorporated, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 9, regarding Fronabarger Concreters, Incorporated, Oak Ridge, which was adopted.

Senator Hegeman offered Senate Resolution No. 10, regarding the Fiftieth Wedding Anniversary of Bob and Carolyn Westfall, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 11, regarding the Sixtieth Wedding Anniversary of Charles and Mary Leach, Cameron, which was adopted.

Senator Wallingford offered Senate Resolution No. 12, regarding John Mehner, Cape Girardeau, which was adopted.

Senator Holsman offered Senate Resolution No. 13, regarding Suzanne Meyer, Kansas City, which was adopted.

Senator Richard moved that **SR 4** be taken up for adoption, which motion prevailed.

SA 4 was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Parson Schatz—2

Vacancies—1

CONCURRENT RESOLUTIONS

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 2

Whereas, under Article IV, Section 3, of the United States Constitution, “The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States”; and

Whereas, the Constitutional Convention intended this provision of the Constitution to maintain the status quo that had been established to transfer federal territorial lands only to create new states with the same rights of sovereignty, freedom, and independence as the original states; and

Whereas, under these express terms of trust, over time the states claiming federal territorial land ceded their western land to the confederated Union to allow the confederated government to dispose of the lands only to create new states and apply the net proceeds of any sales of the lands only to pay down the public debt; and

Whereas, the United States Constitution contains no expression of intent to authorize the federal government to indefinitely exercise control over western public lands beyond the duty to manage the lands pending the disposal of the lands to create new states, and therefore the lands should be returned to the western states; and

Whereas, in order to promote legitimate federal interests, the western states should upon transfer of the public lands directly to the state where the public land is located agree to affirmatively cede lands for the national park system, the national wilderness preservation system, and lands reserved for federal military use, military parks, and military reservations to the federal government under Article I, Section 8, Clause 17, of the United States Constitution, on condition that the lands permanently remain national park lands, and that they not be sold, transferred, left in substantial disrepair, or conveyed to any party other than to the state where the land is located; and

Whereas, limiting the ability of western states to access and utilize the public lands’ natural resources within their borders is having a negative impact upon the economy of the western states and therefore the economy of the entire United States:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, in order to provide a fair, just, and equitable remedy for the federal government’s past and continuing breaches of its solemn promises to the western states:

(1) Calls upon the federal government to transfer title to all federal public lands within the western states to the state where the land is located;

(2) Urges the United States Congress to engage in good faith communication, cooperation, and consultation with the western states to coordinate the transfer of the public lands, and supports the western states in these efforts;

(3) Calls upon the western states to agree, upon transfer of the public lands, to affirmatively cede to the federal government all lands currently designated as part of the National Park System under 16 U.S.C. Section 1a-1, the National Wilderness Preservation System under 16 U.S.C. Section 1131, or for military use, military parks, or military reservations;

(4) Urges that if any public land in the western states be sold to private owners, 95% of the net proceeds be paid to the Bureau of the Public Debt to pay down the federal debt; and

(5) Calls upon all other states of the United States to pass a similar resolution in support of the transfer of the federal public lands to the western states; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Secretary of the United States Department of the Interior, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 3

Whereas, the growth and abuse of federal regulatory authority threaten our constitutional liberties, including those guaranteed by the Bill of Rights in the First, Second, Fourth, and Fifth Amendments to our Constitution; and

Whereas, federal regulators must be more accountable to elected representatives of the people, and not immune from such accountability; and

Whereas, the United States House of Representatives has passed with bipartisan support the Regulations from the Executive in Need of Scrutiny (REINS) Act to require that Congress approve major new federal regulations before they can take effect; and

Whereas, even if enacted, a law may be repealed or waived by a future Congress and President:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge that the United States Congress vote to propose the Regulation Freedom Amendment to the United States Constitution as follows:

“Whenever one quarter of the members of the United States House of Representatives or the United States Senate transmits to the President their written declaration of opposition to a proposed federal regulation, it shall require a majority vote of the House of Representatives and the Senate to adopt that regulation.”; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and each member of the Missouri Congressional delegation.

Senator Kehoe offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 4

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Whereas, the Founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people - particularly for the generations to come - to propose amendments to the United States Constitution through a convention of states under Article V to place clear restraints on these and related abuses of power:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby apply to Congress, under the provisions of Article V of the United States Constitution, for the calling of a convention of the states limited to proposing amendments to the United States Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress; and

BE IT FURTHER RESOLVED that the General Assembly adopts this application with the following understandings (as the term “understandings” is used within the context of “reservations, understandings, and declarations”):

(1) An application to Congress for an Article V convention confers no power on Congress other than to perform a ministerial function to “call” for a convention;

(2) This ministerial duty shall be performed by Congress only when Article V applications for substantially the same purpose are received from two-thirds of the legislatures of the several states;

(3) The power of Congress to “call” a convention solely consists of the authority to name a reasonable time and place for the initial meeting of the convention;

(4) Congress possesses no power whatsoever to name delegates to the convention, as this power remains exclusively within the authority of the legislatures of the several states;

(5) Congress possesses no power to set the number of delegates to be sent by any states;

(6) Congress possesses no power whatsoever to determine any rules for such convention;

(7) By definition, a Convention of States means that states vote on the basis of one state, one vote;

(8) A Convention of States convened pursuant to this application is limited to consideration of topics specified herein and no other;

(9) The General Assembly of Missouri may recall its delegates at any time for breach of their duties or violations of their instructions;

(10) Pursuant to the text of Article V, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The General Assembly of Missouri recommends that Congress specify its choice on ratification methodology contemporaneously with the call for the convention;

(11) Congress possesses no power whatsoever with regard to the Article V convention beyond the two powers acknowledged herein;

(12) Missouri places express reliance on prior legal and judicial determinations that Congress possesses no power under Article I relative to the Article V process, and that Congress must act only as expressly specified in Article V; and

BE IT FURTHER RESOLVED that this application shall expire five (5) years after the passage of this resolution; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

Read 1st time.

Senator Richard moved that **SCR 1** be taken up for adoption, which motion prevailed.

SCR 1 was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Parson Schatz—2

Vacancies—1

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 248—By Kraus.

An Act to repeal section 143.1016, RSMo, and to enact in lieu thereof one new section relating to the organ donor program fund.

SB 249—By Kehoe.

An Act to repeal section 163.016, RSMo, and to enact in lieu thereof one new section relating to the dollar value modifier used in certain school districts.

SB 250—By Kehoe.

An Act to repeal section 137.100, RSMo, and to enact in lieu thereof one new section relating to land subject to railbanking.

SB 251—By Kehoe.

An Act to amend chapter 253, RSMo, by adding thereto one new section relating to fence maintenance along the Missouri rock island trail.

SB 252—By Dixon.

An Act to repeal section 213.010, RSMo, and to enact in lieu thereof one new section relating to the

separation of church and state.

SB 253—By Nasheed.

An Act to repeal section 304.820, RSMo, and to enact in lieu thereof one new section relating to the use of electronic wireless communications devices while operating a motor vehicle, with existing penalty provisions.

SB 254—By Nasheed.

An Act to repeal sections 290.502, 290.512, and 290.527, RSMo, and to enact in lieu thereof three new sections relating to the minimum wage, with a referendum clause.

SB 255—By Nasheed.

An Act to repeal section 167.131, RSMo, and to enact in lieu thereof six new sections relating to school operations, with an emergency clause.

SB 256—By Sater.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to law enforcement recognition week.

SB 257—By Hoskins.

An Act to repeal section 153.030, RSMo, and to enact in lieu thereof one new section relating to property taxation of telephone companies.

COMMITTEE APPOINTMENTS

President Pro Tem Richard submitted the following committee appointments:

Agriculture, Food Production and Outdoor Resources:

Munzlinger, Chair

Hoskins, Vice-chair

Curls

Hegeman

Holsman

Kehoe

Libla

Appropriations:

Brown, Chair

Silvey, Vice-chair

Cunningham

Curls

Hegeman

Hoskins

Nasheed

Sater
Schaaf
Schupp
Wallingford

Commerce, Consumer Protection, Energy and the Environment:

Silvey, Chair
Emery, Vice-chair
Cunningham
Holsman
Kraus
Nasheed
Riddle
Romine
Schatz
Wallingford

Economic Development:

Wasson, Chair
Hegeman, Vice-chair
Dixon
Holsman
Hoskins
Kraus
Nasheed
Rizzo
Rowden
Schatz
Wieland

Education:

Romine, Chair
Eigel, Vice-chair
Chappelle-Nadal
Emery
Holsman
Koenig
Libla
Onder
Schupp

Fiscal Oversight:

Cunningham, Chair

Silvey, Vice-chair

Nasheed

Riddle

Rizzo

Sater

Wasson

General Laws:

Onder, Chair

Libla, Vice-chair

Brown

Eigel

Nasheed

Rizzo

Wasson

Government Reform:

Emery, Chair

Schatz, Vice-chair

Eigel

Munzlinger

Rizzo

Rowden

Sifton

Health and Pensions:

Schaaf, Chair

Koenig, Vice-chair

Chappelle-Nadal

Onder

Sater

Schupp

Silvey

Insurance and Banking:

Wieland, Chair

Cunningham, Vice-chair

Hoskins

Rowden

Sifton
Walsh
Wasson

Judiciary and Civil and Criminal Jurisprudence:

Dixon, Chair
Onder, Vice-chair
Chappelle-Nadal
Emery
Koenig
Sifton
Silvey

Local Government and Elections:

Hegeman, Chair
Sater, Vice-chair
Kraus
Rizzo
Romine
Rowden
Sifton

Professional Registration:

Riddle, Chair
Rowden, Vice-chair
Cunningham
Eigel
Sifton
Walsh
Wieland

Progress and Development:

Walsh, Chair
Curls, Vice-chair
Wallingford

Seniors, Families and Children:

Sater, Chair
Riddle, Vice-chair
Chappelle-Nadal
Romine

Schaaf
Schupp
Wieland

Small Business and Industry:

Libla, Chair
Wieland, Vice-chair
Koenig
Munzlinger
Schaaf
Sifton
Wallingford

Transportation, Infrastructure and Public Safety:

Schatz, Chair
Romine, Vice-chair
Curls
Dixon
Libla
Munzlinger

Veterans and Military Affairs:

Wallingford, Chair
Kraus, Vice-chair
Brown
Chappelle-Nadal
Eigel
Hoskins
Schupp

Ways and Means:

Kraus, Chair
Wallingford, Vice-chair
Dixon
Koenig
Onder
Rizzo

COMMUNICATIONS

President Pro Tem Richard submitted the following:

**SENATE HEARING SCHEDULE
99th GENERAL ASSEMBLY
FIRST REGULAR SESSION
JANUARY 5, 2017**

	Monday	Tuesday	Wednesday	Thursday
8:00 a.m.		Insurance and Banking SL (Wieland) Ways and Means SCR 1 (Kraus) Appropriations SCR 2 (Brown)	Seniors, Families and Children SL (Sater) Government Reform SCR 1 (Emery) Progress and Development SCR 2 (Walsh)	Transportation, Infrastructure and Public Safety SL (Schatz) Veterans and Military Affairs SCR 1 (Wallingford) Appropriations SCR 2 (Brown)
9:00 a.m.		Rules, Joint Rules, Resolutions and Ethics SL (Kehoe)	Appropriations SCR 2 (Brown)	Fiscal Oversight SCR 1 (Cunningham)
10:00 a.m.		Local Government and Elections SL (Hegeman) Small Business and Industry SCR 1 (Libla)	Gubernatorial Appointments SL (Richard) Health and Pensions SCR 1 (Schaaf)	
12:00 p.m.		Economic Development SL (Wasson) Education SCR 1 (Romine)	Commerce, Consumer Protection, Energy and the Environment SL (Silvey) General Laws SCR 1 (Onder)	
1:00 p.m.				
2:00 p.m.	Judiciary and Civil and Criminal Jurisprudence SL (Dixon) Professional Registration SCR 1 (Riddle) Agriculture, Food Production and Outdoor Resources SCR 2 (Munzlinger)			

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 1—Rules, Joint Rules, Resolutions and Ethics.

SB 2—Rules, Joint Rules, Resolutions and Ethics.

SB 3—Rules, Joint Rules, Resolutions and Ethics.

SB 4—Government Reform.

SB 5—Government Reform.

SB 6—Economic Development.

SB 7—Ways and Means.

SB 8—Transportation, Infrastructure and Public Safety.

SB 9—Agriculture, Food Production and Outdoor Resources.

SB 10—Economic Development.

SB 11—Local Government and Elections.

SB 12—Insurance and Banking.

SB 13—Judiciary and Civil and Criminal Jurisprudence.

SB 14—Ways and Means.

SB 15—Economic Development.

SB 16—Ways and Means.

SB 17—Ways and Means.

SB 18—Veterans and Military Affairs.

SB 19—General Laws.

SB 20—General Laws.

SB 21—General Laws.

SB 22—Commerce, Consumer Protection, Energy and the Environment.

SB 23—Education.

SB 24—Transportation, Infrastructure and Public Safety.

SB 25—Transportation, Infrastructure and Public Safety.

SB 26—Transportation, Infrastructure and Public Safety.

SB 27—Small Business and Industry.

SB 28—Seniors, Families and Children.

SB 29—General Laws.

SB 30—Local Government and Elections.

SB 31—Government Reform.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

January 5, 2017

Senator Ron Richard – President Pro Tem

State Capitol, Room 326

Jefferson City, Missouri 65102

Dear Senator Richard:

Pursuant to Senate Rule 12 and in my capacity as Minority Floor Leader, I hereby make the following appointments to Senate Standing Committees.

Administration

Senator Gina Walsh

Senator Kiki Curls

Agriculture and Outdoor Resources

Senator Kiki Curls

Senator Jason Holsman

Appropriations

Senator Kiki Curls

Senator Jamilah Nasheed

Senator Jill Schupp

Commerce, Consumer Protection, Energy and the Environment

Senator Jason Holsman

Senator Jamilah Nasheed

Economic Development

Senator Jason Holsman

Senator Jamilah Nasheed

Senator John Rizzo

Education

Senator Maria Chappelle-Nadal

Senator Jason Holsman

Senator Jill Schupp

Government Reform

Senator Scott Sifton

Senator John Rizzo

Fiscal Oversight

Senator Jamilah Nasheed

Senator John Rizzo

Gubernatorial Appointments

Senator Kiki Curls

Senator Jamilah Nasheed

Senator Gina Walsh

Health and Pensions

Senator Maria Chappelle-Nadal

Senator Jill Schupp

Insurance and Banking

Senator Gina Walsh

Senator Scott Sifton

Judiciary and Civil & Criminal Jurisprudence

Senator Scott Sifton

Senator Maria Chappelle-Nadal

Professional Registration

Senator Scott Sifton

Senator Gina Walsh

Progress and Development

Senator Gina Walsh

Senator Kiki Curls

Local Government and Elections

Senator Scott Sifton

Senator John Rizzo

Rules, Joint Rules, Resolutions and Ethics

Senator Jason Holsman

Senator Gina Walsh

Seniors, Families and Children

Senator Maria Chappelle-Nadal

Senator Jill Schupp

Small Business and Industry

Senator Scott Sifton

Transportation and Infrastructure

Senator Kiki Curls

Veterans and Military Affairs

Senator Maria Chappelle-Nadal

Senator Jill Schupp

Way and Means

Senator John Rizzo

Please note that some of the committee slots of the minority caucus have not been filled by this correspondence. I expect to fill those at a later date.

Thank you.

Sincerely,
/s/ Gina Walsh
Gina Walsh
Minority Floor Leader

On motion of Senate Kehoe, the Senate adjourned until 8:30 a.m., Monday, January 9, 2017.

SENATE CALENDAR

THIRD DAY—MONDAY, JANUARY 9, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 32-Emery	SB 57-Holsman
SB 33-Emery	SB 58-Sifton
SB 34-Cunningham	SB 59-Sifton
SB 35-Cunningham	SB 60-Sifton
SB 36-Cunningham	SB 61-Hegeman
SB 37-Silvey	SB 62-Hegeman
SB 38-Silvey	SB 63-Hegeman
SB 39-Silvey	SB 64-Schatz
SB 40-Wallingford	SB 65-Schatz
SB 41-Wallingford and Emery	SB 66-Schatz
SB 42-Wallingford	SB 67-Onder, et al
SB 43-Romine	SB 68-Onder and Nasheed
SB 44-Romine	SB 69-Schupp
SB 45-Romine	SB 70-Schupp
SB 46-Libla	SB 71-Schupp
SB 47-Libla	SB 72-Schaaf
SB 49-Walsh	SB 73-Schaaf
SB 50-Walsh	SB 74-Schaaf
SB 51-Walsh	SB 75-Munzlinger
SB 52-Nasheed	SB 76-Munzlinger
SB 53-Nasheed	SB 77-Munzlinger
SB 54-Nasheed	SB 78-Wasson
SB 55-Holsman	SB 79-Wasson
SB 56-Holsman	SB 80-Wasson

SB 81-Dixon	SB 122-Munzlinger
SB 82-Dixon	SB 123-Munzlinger
SB 83-Dixon	SB 124-Wasson
SB 84-Kraus	SB 125-Wasson
SB 85-Kraus	SB 126-Wasson
SB 86-Kraus	SB 127-Dixon
SB 87-Brown	SB 128-Dixon
SB 88-Brown	SB 129-Dixon and Sifton
SB 89-Chappelle-Nadal	SB 130-Kraus
SB 90-Chappelle-Nadal	SB 131-Kraus
SB 91-Chappelle-Nadal	SB 132-Kraus
SB 92-Curls	SB 133-Chappelle-Nadal
SB 93-Curls	SB 134-Chappelle-Nadal
SB 94-Curls	SB 135-Curls
SB 95-Sater	SB 136-Curls
SB 96-Sater and Emery	SB 137-Curls
SB 97-Sater	SB 138-Sater
SB 98-Emery	SB 139-Sater
SB 99-Emery	SB 140-Sater
SB 100-Emery	SB 141-Emery
SB 101-Cunningham	SB 142-Emery
SB 102-Cunningham	SB 143-Emery
SB 103-Wallingford	SB 144-Wallingford
SB 104-Wallingford	SB 145-Wallingford
SB 105-Wallingford	SB 146-Romine
SB 106-Romine	SB 147-Romine
SB 107-Romine	SB 148-Romine
SB 108-Romine	SB 149-Schatz
SB 109-Holsman	SB 150-Schupp
SB 110-Holsman	SB 151-Schupp
SB 111-Hegeman	SB 152-Schupp
SB 112-Schatz	SB 153-Schaaf
SB 113-Schatz	SB 154-Schaaf
SB 114-Schatz	SB 155-Schaaf
SB 115-Schupp	SB 156-Munzlinger
SB 116-Schupp	SB 157-Dixon
SB 117-Schupp	SB 158-Dixon
SB 118-Schaaf	SB 159-Dixon
SB 119-Schaaf	SB 160-Sater
SB 120-Schaaf	SB 161-Sater
SB 121-Munzlinger	SB 162-Romine

SB 163-Romine	SB 204-Sifton
SB 164-Romine	SB 205-Sifton
SB 165-Schupp	SB 206-Sifton
SB 166-Schaaf	SB 207-Sifton
SB 167-Schaaf	SB 208-Sifton
SB 168-Schaaf	SB 209-Wallingford
SB 169-Dixon	SB 210-Onder
SB 170-Dixon and Sifton	SB 211-Wasson
SB 171-Dixon and Sifton	SB 212-Sater
SB 172-Romine	SB 213-Rowden
SB 173-Schaaf	SB 214-Emery
SB 174-Schaaf	SB 215-Emery
SB 175-Schaaf	SB 216-Cunningham
SB 176-Dixon	SB 217-Nasheed
SB 177-Dixon	SB 218-Nasheed
SB 178-Dixon	SB 219-Nasheed
SB 179-Brown	SB 220-Riddle
SB 180-Nasheed	SB 221-Riddle
SB 181-Nasheed	SB 222-Riddle
SB 182-Onder	SB 223-Schatz
SB 183-Hoskins	SB 224-Schatz
SB 184-Emery	SB 225-Schatz
SB 185-Onder, et al	SB 226-Koenig
SB 186-Emery	SB 227-Koenig
SB 187-Hegeman	SB 228-Koenig
SB 188-Munzlinger	SB 229-Riddle
SB 189-Kehoe	SB 230-Riddle
SB 190-Emery	SB 231-Schatz
SB 191-Wallingford	SB 232-Schatz
SB 192-Wallingford	SB 233-Wallingford
SB 193-Wallingford	SB 234-Libla
SB 194-Wallingford	SB 235-Eigel
SB 195-Koenig	SB 236-Schatz
SB 196-Koenig	SB 237-Rowden
SB 197-Rowden	SB 238-Onder
SB 198-Schaaf	SB 239-Rowden
SB 199-Wasson	SB 240-Schatz
SB 200-Libla	SB 241-Schatz
SB 201-Onder	SB 242-Emery
SB 202-Rowden	SB 243-Hegeman
SB 203-Sifton	SB 244-Rowden

SB 245-Sater	SJR 1-Schaaf
SB 246-Kraus	SJR 2-Schaaf
SB 247-Kraus	SJR 3-Schaaf
SB 248-Kraus	SJR 4-Chappelle-Nadal
SB 249-Kehoe	SJR 5-Emery
SB 250-Kehoe	SJR 6-Emery
SB 251-Kehoe	SJR 7-Silvey
SB 252-Dixon	SJR 8-Romine
SB 253-Nasheed	SJR 9-Romine
SB 254-Nasheed	SJR 10-Holsman
SB 255-Nasheed	SJR 11-Hegeman
SB 256-Sater	SJR 12-Eigel
SB 257-Hoskins	

INFORMAL CALENDAR

RESOLUTIONS

HCR 1-Cierpiot (Kehoe)

HCR 2-Cierpiot (Kehoe)

To be Referred

SCR 2-Emery
SCR 3-Emery

SCR 4-Kehoe

✓

Journal of the Senate

FIRST REGULAR SESSION

THIRD DAY—MONDAY, JANUARY 9, 2017

The Senate met pursuant to adjournment.

Senator Schaaf in the Chair.

Reverend Carl Gauck offered the following prayer:

“Behold, You have instructed many, and You have strengthened the weak hands.” (Job 4:3)

You have given us work to do, O God, at home and here for which we are most grateful. We are thankful to begin this day together in prayer, for we celebrate this day filled with joy, honor, responsibilities and strengthening relationships. Let us embrace this time asking that You will sustain our efforts to do what is right and needful. And we ask that You continue to accomplish the creative masterwork You have begun in our souls. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 5, 2016, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Parson	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wallingford, joined by the entire membership, offered Senate Resolution No. 14, regarding Lieutenant Governor Peter D. Kinder, which was adopted.

Senator Walsh offered Senate Resolution No. 15, regarding Kurtis Barks, Saint Charles, which was adopted.

Senator Hegeman offered Senate Resolution No. 16, regarding the Fiftieth Wedding Anniversary of Glen and Barbara Nauman, Mound City, which was adopted.

Senator Hegeman offered Senate Resolution No. 17, regarding the Sixtieth Wedding Anniversary of J.W. and Marlene Hottel, Osborn, which was adopted.

Senator Hegeman offered Senate Resolution No. 18, regarding the Sixtieth Wedding Anniversary of Don and Linda Holland, which was adopted.

Senator Hegeman offered Senate Resolution No. 19, regarding the Seventieth Wedding Anniversary of Cecil and Ida Ellen Swink, King City, which was adopted.

Senator Hegeman offered Senate Resolution No. 20, regarding the Sixtieth Wedding Anniversary of Dean and Marjorie Dearmont, Bertram, Texas, which was adopted.

Senator Riddle offered Senate Resolution No. 21, regarding Jim Dye, Mexico, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 258—By Munzlinger.

An Act to repeal sections 507.040, 507.050, 508.010, and 537.762, RSMo, and to enact in lieu thereof four new sections relating to venue requirements in civil actions.

SB 259—By Munzlinger.

An Act to amend supreme court rule 52.12, for the purpose of prohibiting intervention where venue and jurisdiction do not exist.

SB 260—By Munzlinger.

An Act to amend supreme court rule 51.01, for the purposes of requiring the independent establishment of venue and jurisdiction for joinder or intervention.

SB 261—By Munzlinger.

An Act to amend supreme court rule 52.05, for the purpose of modifying procedures for joinder in tort actions.

SB 262—By Munzlinger.

An Act to amend supreme court rule 52.06, for the purpose of modifying procedures for the dismissal of a claim due to misjoinder where venue does not exist.

SB 263—By Riddle.

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to MO Healthnet reimbursement of chiropractic services.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCR 1**.

Also,

I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following Representatives: Richardson, Haahr, Cierpiot, Austin, Fraker, Engler, Walker, Gannon, Fitzwater (144), Haefner, Anderson, Hubrecht, Barnes (60), Franks, Conway (10), Brown (27), Quade, and Arthur.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 5, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Susan A. Fluegel, 7574 Kirky Court, Shrewsbury, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, April S. Wilson, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 5, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Courtney L. Kovachevich, 11742 Longleaf Circle, Saint Louis, Saint Louis County, Missouri 63146, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Dorothy Rowland, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 5, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

April S. Wilson, 416 West Madison, Memphis, Scotland County, Missouri 63555, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Susan A. Fluegel, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 5, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

The following addendum should be made to the addendum to the appointment of Joseph G. Plaggenberg as a member of the Child Abuse and Neglect Review Board, submitted to you on January 4, 2017. Line 1 should be amended to read:

Joseph G. Plaggenberg, 211 Bluff Street, Jefferson City, Cole County, Missouri

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 5, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

The following addendum should be made to the addendum to the appointment of Charles W. Schlottach as a member of the Missouri Wine and Grape Board, submitted to you on January 4, 2017. Line 3 should be amended to read:

28, 2019, and until his successor is duly appointed and qualified; vice, Jonathan L. Held, term expired.

Respectfully submitted,
Jeremiah W. (Jay) Nixon
Governor

President Pro Tem Richard referred the gubernatorial appointments and addendums to the Committee on Gubernatorial Appointments.

COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following committee, pursuant to **SCR 1**: Senators Richard, Schaaf, Munzlinger, Wasson, Dixon, Kraus, Brown, Kehoe, Sater, Emery, Cunningham, Silvey, Wallingford, Romine, Hegeman, Onder, Walsh and Curls.

President Pro Tem Richard assumed the Chair.

On motion of Senator Kehoe, the Senate recessed until 11:00 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

Senator Kehoe moved that the Senate recess until 1:15 p.m. and the Senators repair to the South steps of the Capitol where they will meet the House of Representatives in Joint Session to witness the Inauguration of the newly elected Governor, Eric Greitens, and receive his message, which motion prevailed.

JOINT SESSION

The Senate and the House of Representatives met in Joint Assembly on the steps of the Capitol where President Pro Tem Richard called the Joint Assembly to order.

Governor-elect Eric Greitens and Sheena Greitens were escorted to their places on the Inaugural Platform by the Legislative Inaugural Committees of the 99th General Assembly.

Welcome was extended by the Honorable Ron Richard, President Pro Tem of the Missouri Senate.

The Colors were presented by the Missouri National Guard.

Thomas Jefferson Division, U.S. Naval Sea Cadet Corps., lead the audience in the Pledge of Allegiance to the Flag.

Charles Glenn sang the National Anthem.

The Invocation was offered by Reverend Monsignor Robert A. Kurwicky, Cathedral of Saint Joseph.

Judge Patricia Breckenridge, Chief Justice of the Missouri Supreme Court, administered the oath of office to Attorney General-elect Joshua David Hawley.

Judge Patricia Breckenridge, Chief Justice of the Missouri Supreme Court, administered the oath of office to State Treasurer-elect Eric Stephen Schmitt.

Judge Patricia Breckenridge, Chief Justice of the Missouri Supreme Court, administered the oath of office to Secretary of State-elect John Robert Ashcroft.

Judge Mary R. Russell of the Missouri Supreme Court, administered the oath of office to Lieutenant Governor-elect Michael L. Parson.

The oath of office was administered to Governor-elect Eric Robert Greitens by Judge Patricia Breckenridge, Chief Justice of the Missouri Supreme Court. Immediately after administration of the oath, military honors were rendered to Governor Greitens with the firing of a nineteen gun salute by the BTRY D, (Truman's Own) 1st Battalion, 129th Field Artillery Regiment Missouri Army National Guard, Independence.

Governor Greitens delivered his Inaugural Address:

Governor Eric Greitens Inaugural Address

January 9th, 2017

Thank you Justice Breckenridge.

And thank you President Pro Tem Richard and Speaker Richardson, and my fellow citizens.

Today, we gather to take part in our republic's most revered ritual: the peaceful transfer of power.

Governor Nixon, you—and your team—have been gracious during this transition, and in doing so, have honored our system of government and upheld its finest traditions. We thank you.

I come before you today conscious of the fact that so many have given so much to this state—none more so than the families of our fallen. Those who have fallen fighting our wars, enforcing our laws, fighting our fires.

I know these men and women; I have served with them. I know the pride of carrying our nation's flag abroad—and I have felt the grief of burying too many friends beneath that flag at home.

Their families sit with us today as a testament, not to loss—though their loss has been great—but to love, the tremendous love that so many have for our country, for our state, for our fellow citizens.

We hope that you feel our state's gratitude. Your loved ones gave their lives—and in their sacrifice, they made possible the democratic renewal we solemnly mark today.

We have inherited their legacy. We have also inherited an immense responsibility: to make the lives we live worthy of the lives we have lost. The people have spoken; a new direction has been decided.

For decades, Missourians have talked about change. Now it's time to fight for that change.

No one imagines that all of these battles will be won overnight—or over four years, or even eight. But we begin today.

Our state's world famous motto, "Show me," reminds us that Missourians don't much value big talk.

Our state's great history reminds us that Missourians have always understood that big achievements demand hard work.

"Show me" doesn't mean "Give me." It means "prove it can be done, and we will do it."

It was from Missouri that the West was won—and here was laid the first mile of the interstates that joined America in ever closer union.

In Missouri, we built the steamships that plied the Mississippi.

It was people of Missouri who believed that a human being could fly across the Atlantic Ocean alone.

And it was Missourians who built the capsule in which an American first orbited the earth.

That is who we were. It remains who we are.

This state in the heart of America has proven that the worst in our history can be overcome by the best in our people.

It was here that a slave named Dred Scott was told by the United States Supreme Court that a black man had no rights that a white man need respect—and it was a son of Missouri, a poet named Langston Hughes, who delivered the best answer to Dred Scott's unjust judges, when he said: "I, too, am America."

In that same spirit, we are all Missouri.

This does not mean we will agree on everything. In fact, we should not agree on everything.

Proverbs reminds us, "The fear of the Lord is the beginning of wisdom."

The Lord put each of us here for a purpose. Sometimes the purpose of our opponents is to be our teachers.

There are big fights ahead for big things, and our new administration won't back down because of political pressure or political correctness.

Yet even as we fight for our convictions, we resolve that the greatest conviction, is to love our neighbors as ourselves.

Our ears will be open to reason, and our eyes alert to new facts.

We will go to work with humble hearts, and we will extend our hand in friendship to all those who will take it, but...

To those who would commit violence against a fellow citizen...

To those who would abuse a child...

To those who would assault a member of law enforcement...

To those who would steal from the needy...

I assure them this: they will feel the might, strength, and resolution of the firm fist of justice.

As Governor, I will always remember why you sent me here and what you expect from me. I will be loyal to your needs and priorities—not to those who posture or pay for influence.

This is the people's house. And to those who would trouble this house for their own selfish and sinful gain, hear me now: I answer to the people. I come as an outsider, to do the people's work.

And I know that the people do not expect miracles, but they do expect results—and we will deliver.

Yet no matter how well we do in government, there is a limit to what government can do well.

One of the worst lies of our present politics is the false promise that government can fix any problem and find every answer.

That never has been—and never will be—part of America's promise to its people.

But together, our people can fulfill America's oldest and best promises.

An administration can work on schools and invest in education. But I know—not only as your Governor, but as a father—that a child learns more than her letters when she falls fast asleep to the soft sounds of a parent reading to her.

An administration can do its part to empower business leaders to do good and to dare greatly — but the doing and daring is up to you.

An administration can render a check. But no amount of money given by a government can ever provide the meaning, strength, and dignity that comes from a good-paying job.

An administration can commit resources to serve those in need. But bureaucracy is the wrong place to look if you're seeking compassion. Caring comes from individual people, inspired by the ancient ideal laid down in Isaiah: "If you tend to the hungry and satisfy the needs of the oppressed, then your light will rise in the darkness, and your night will become like the noonday."

An administration can invest in police and law enforcement. But the most important anti-crime program ever known is a dad playing ball with his son—and setting his boy an example of how a strong man cherishes women, protects the young, and honors the old.

Everywhere Sheena and I visit in this great state, we ask people to pray for us. I can feel the power of those prayers around me today.

I asked you to fight alongside me. You have—I know you will.

And now, gratefully accepting the responsibility that you have entrusted to me, let's get to work.

God bless the people of Missouri. God bless you all.

The 135th Army Band, Missouri Army National Guard, Springfield, performed "America the Beautiful".

The Benediction was pronounced by Rabbi James M. Bennett.

The Colors were retired by the Missouri National Guard.

The audience remained standing and Governor Greitens and Mrs. Greitens were escorted from the platform by the Legislative Inaugural Committee.

The Joint Session of the 99th General Assembly was adjourned by President Pro Tem Richard. The Senators returned to the Chamber, where they were called to order by President Parson.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 264—By Dixon.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the local workforce development act of 2017, with penalty provisions.

SB 265—By Schatz.

An Act to amend chapter 650, RSMo, by adding thereto two new sections relating to the blue alert system, with a penalty provision.

SB 266—By Schatz.

An Act to repeal section 288.032, RSMo, and to enact in lieu thereof eleven new sections relating to the regulation of certain business entities.

SB 267—By Schatz.

An Act to repeal section 94.902, RSMo, and to enact in lieu thereof one new section relating to a public safety sales tax.

SB 268—By Schupp and Walsh.

An Act to amend chapter 285, RSMo, by adding thereto six new sections relating to unpaid leave for victims of certain crimes.

SB 269—By Cunningham.

An Act to repeal section 136.055, RSMo, and to enact in lieu thereof two new sections relating to the department of revenue technology fund.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

January 9, 2017

The Honorable Ron Richard
201 W. Capitol Ave., Room 326
Jefferson City, MO 65101

Dear President Pro Tem Richard,

This letter serves to provide notice, effective today at 11:30 a.m. I will resign from the office of Missouri senator in preparation to be sworn in as the state's next lieutenant governor.

Serving the constituents of the 28th senatorial district has been a great honor.

Sincerely,
/s/ Michael L. Parson
Michael L. Parson
State Senator

INTRODUCTIONS OF GUESTS

Senator Libla introduced to the Senate, his wife, Elaine; his brother and his wife, David and Mary Libla; Herman and Jill Styles; and Jay Decker and Eddy Justice, Poplar Bluff.

Senator Richard introduced to the Senate, his daughter and her husband, Kara and Rick Siebert, and their children Landon and Claire; his son and his wife, Chad and Amy Greer, and their children Natalie and Molly; Lance and Sharon Beshore; Jay and Robin Mitchell; Pete and Suzy Ramsour; Peggy and Steve Fuller; Steve and Dana Walstad; Becky Mitchell; Alan and Lori Marble; Brad Hodson; Charlie and Donna McGinty; Barb Olsen; Jess and Shirley Mutz; Kent and Karolee Blanchard; John and Sue Edwards; Scott and Kitt Brothers; Doris Carlin; Nick and Brenda Myers; Chuck and Cheryl Barwick; Mark and Carol Ramsour; and Jennifer Goldwasser.

The President introduced to the Senate, his wife, Teresa; his son and his wife, Kelly and Tara Parson; and his daughter and her husband, Stephanie and Jonathan House, and their children, David, Alicia, Michaela, Benjamin and Isabella.

Senator Schupp introduced to the Senate, Committeeman James F. Loomis, III, Clayton.

Senator Cunningham introduced to the Senate, his granddaughter, Baylee Cunningham; Lauren and Taylor Whitehead; and Alyssa Ince, Marshfield; and Baylee, Lauren, Taylor and Alyssa were made honorary pages.

Senator Wallingford introduced to the Senate, his wife, Suzy; his granddaughter Brinleigh Wallingford, St. Joseph; Mike and Carole Harvell, Cape Girardeau; Michael and Amy Maender, Ballwin; and Drew and Debbie Juden, Sikeston.

Senator Schatz introduced to the Senate, Darren and Sarah Newbanks.

Senator Emery introduced to the Senate, his son and his wife Daniel and Madison Emery and their daughter, Irene Rose, Clovis, New Mexico; his sister and her husband Tom and Leesa Drury, and their daughter Caroline, Park Rapids, Minnesota; and Irene Rose was made an honorary page.

Senator Koenig introduced to the Senate, Congresswoman Ann Wagner and her husband, Ray, Ballwin.

Senator Hoskins introduced to the Senate, Brandon and Angela Phelps; Scott and Cheryl Munsterman; and Chad Davis, Warrensburg.

On motion of Senator Kehoe, the Senate adjourned until 12:00 p.m., Tuesday, January 10, 2017.

SENATE CALENDAR

FOURTH DAY—TUESDAY, JANUARY 10, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 32-Emery	SB 51-Walsh
SB 33-Emery	SB 52-Nasheed
SB 34-Cunningham	SB 53-Nasheed
SB 35-Cunningham	SB 54-Nasheed
SB 36-Cunningham	SB 55-Holsman
SB 37-Silvey	SB 56-Holsman
SB 38-Silvey	SB 57-Holsman
SB 39-Silvey	SB 58-Sifton
SB 40-Wallingford	SB 59-Sifton
SB 41-Wallingford and Emery	SB 60-Sifton
SB 42-Wallingford	SB 61-Hegeman
SB 43-Romine	SB 62-Hegeman
SB 44-Romine	SB 63-Hegeman
SB 45-Romine	SB 64-Schatz
SB 46-Libla	SB 65-Schatz
SB 47-Libla	SB 66-Schatz
SB 49-Walsh	SB 67-Onder, et al
SB 50-Walsh	SB 68-Onder and Nasheed

SB 69-Schupp	SB 109-Holsman
SB 70-Schupp	SB 110-Holsman
SB 71-Schupp	SB 111-Hegeman
SB 72-Schaaf	SB 112-Schatz
SB 73-Schaaf	SB 113-Schatz
SB 74-Schaaf	SB 114-Schatz
SB 75-Munzlinger	SB 115-Schupp
SB 76-Munzlinger	SB 116-Schupp
SB 77-Munzlinger	SB 117-Schupp
SB 78-Wasson	SB 118-Schaaf
SB 79-Wasson	SB 119-Schaaf
SB 80-Wasson	SB 120-Schaaf
SB 81-Dixon	SB 121-Munzlinger
SB 82-Dixon	SB 122-Munzlinger
SB 83-Dixon	SB 123-Munzlinger
SB 84-Kraus	SB 124-Wasson
SB 85-Kraus	SB 125-Wasson
SB 86-Kraus	SB 126-Wasson
SB 87-Brown	SB 127-Dixon
SB 88-Brown	SB 128-Dixon
SB 89-Chappelle-Nadal	SB 129-Dixon and Sifton
SB 90-Chappelle-Nadal	SB 130-Kraus
SB 91-Chappelle-Nadal	SB 131-Kraus
SB 92-Curls	SB 132-Kraus
SB 93-Curls	SB 133-Chappelle-Nadal
SB 94-Curls	SB 134-Chappelle-Nadal
SB 95-Sater	SB 135-Curls
SB 96-Sater and Emery	SB 136-Curls
SB 97-Sater	SB 137-Curls
SB 98-Emery	SB 138-Sater
SB 99-Emery	SB 139-Sater
SB 100-Emery	SB 140-Sater
SB 101-Cunningham	SB 141-Emery
SB 102-Cunningham	SB 142-Emery
SB 103-Wallingford	SB 143-Emery
SB 104-Wallingford	SB 144-Wallingford
SB 105-Wallingford	SB 145-Wallingford
SB 106-Romine	SB 146-Romine
SB 107-Romine	SB 147-Romine
SB 108-Romine	SB 148-Romine

SB 149-Schatz	SB 190-Emery
SB 150-Schupp	SB 191-Wallingford
SB 151-Schupp	SB 192-Wallingford
SB 152-Schupp	SB 193-Wallingford
SB 153-Schaaf	SB 194-Wallingford
SB 154-Schaaf	SB 195-Koenig
SB 155-Schaaf	SB 196-Koenig
SB 156-Munzlinger	SB 197-Rowden
SB 157-Dixon	SB 198-Schaaf
SB 158-Dixon	SB 199-Wasson
SB 159-Dixon	SB 200-Libla
SB 160-Sater	SB 201-Onder
SB 161-Sater	SB 202-Rowden
SB 162-Romine	SB 203-Sifton
SB 163-Romine	SB 204-Sifton
SB 164-Romine	SB 205-Sifton
SB 165-Schupp	SB 206-Sifton
SB 166-Schaaf	SB 207-Sifton
SB 167-Schaaf	SB 208-Sifton
SB 168-Schaaf	SB 209-Wallingford
SB 169-Dixon	SB 210-Onder
SB 170-Dixon and Sifton	SB 211-Wasson
SB 171-Dixon and Sifton	SB 212-Sater
SB 172-Romine	SB 213-Rowden
SB 173-Schaaf	SB 214-Emery
SB 174-Schaaf	SB 215-Emery
SB 175-Schaaf	SB 216-Cunningham
SB 176-Dixon	SB 217-Nasheed
SB 177-Dixon	SB 218-Nasheed
SB 178-Dixon	SB 219-Nasheed
SB 179-Brown	SB 220-Riddle
SB 180-Nasheed	SB 221-Riddle
SB 181-Nasheed	SB 222-Riddle
SB 182-Onder	SB 223-Schatz
SB 183-Hoskins	SB 224-Schatz
SB 184-Emery	SB 225-Schatz
SB 185-Onder, et al	SB 226-Koenig
SB 186-Emery	SB 227-Koenig
SB 187-Hegeman	SB 228-Koenig
SB 188-Munzlinger	SB 229-Riddle
SB 189-Kehoe	SB 230-Riddle

SB 231-Schatz	SB 257-Hoskins
SB 232-Schatz	SB 258-Munzlinger
SB 233-Wallingford	SB 259-Munzlinger
SB 234-Libla	SB 260-Munzlinger
SB 235-Eigel	SB 261-Munzlinger
SB 236-Schatz	SB 262-Munzlinger
SB 237-Rowden	SB 263-Riddle
SB 238-Onder	SB 264-Dixon
SB 239-Rowden	SB 265-Schatz
SB 240-Schatz	SB 266-Schatz
SB 241-Schatz	SB 267-Schatz
SB 242-Emery	SB 268-Schupp and Walsh
SB 243-Hegeman	SB 269-Cunningham
SB 244-Rowden	SJR 1-Schaaf
SB 245-Sater	SJR 2-Schaaf
SB 246-Kraus	SJR 3-Schaaf
SB 247-Kraus	SJR 4-Chappelle-Nadal
SB 248-Kraus	SJR 5-Emery
SB 249-Kehoe	SJR 6-Emery
SB 250-Kehoe	SJR 7-Silvey
SB 251-Kehoe	SJR 8-Romine
SB 252-Dixon	SJR 9-Romine
SB 253-Nasheed	SJR 10-Holsman
SB 254-Nasheed	SJR 11-Hegeman
SB 255-Nasheed	SJR 12-Eigel
SB 256-Sater	

INFORMAL CALENDAR

RESOLUTIONS

HCR 1-Cierpiot (Kehoe)

HCR 2-Cierpiot (Kehoe)

To be Referred

SCR 2-Emery

SCR 4-Kehoe

SCR 3-Emery

Journal of the Senate

FIRST REGULAR SESSION

FOURTH DAY—TUESDAY, JANUARY 10, 2017

The Senate met pursuant to adjournment.

Senator Dixon in the Chair.

Reverend Carl Gauck offered the following prayer:

“Who is wise and understanding among you? Show by your good life that your works are done with gentleness born of wisdom.” (James 3:13)

Almighty God, bless each of us this day. May we discover in each, in their encouraging words and helping hands that they are here to be of help to us. And although we may differ on some issues may we come to know that they have only our good in mind and are truly willing to share their knowledge and wisdom to assist us. Learning this may there be peace and righteousness sown in us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KQTV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

RESOLUTIONS

Senator Sater offered Senate Resolution No. 22, regarding Joe Ruscha, which was adopted.

Senator Sater offered Senate Resolution No. 23, regarding Duane and Betty Baum, Stone County, which was adopted.

Senator Sater offered Senate Resolution No. 24, regarding Jim and Joan Stauber, Noel, which was adopted.

Senator Sater offered Senate Resolution No. 25, regarding Paula Brodie, Goodman, which was adopted.

Senator Sater offered Senate Resolution No. 26, regarding the death of Glenn V. Thomas, Blue Eye, which was adopted.

Senator Sater offered Senate Resolution No. 27, regarding Jessica Spencer, which was adopted.

Senator Romine offered the following resolution:

SENATE RESOLUTION NO. 28

Whereas, Mr. Scott Pruitt is an ideal nominee to lead the Environmental Protection Agency because as a state attorney general he has witnessed the real world consequences of the agency's unconstitutional overreach, and he has been a leader in working to restore the Environmental Protection Agency to its original, lawful mission; and

Whereas, Mr. Pruitt has earned bipartisan respect and recognition during his tenure as Oklahoma Attorney General by demonstrating an expertise in constitutional law and the federal regulatory system, in addition to his willingness to take on tough fights on behalf of Oklahoma; and

Whereas, like Mr. Donald J. Trump, Mr. Pruitt is committed to clean air and clean water, and to faithfully enforcing the environmental laws written by Congress. At the direction of Mr. Donald J. Trump, Mr. Pruitt will restore a thoughtful balance to the Environmental Protection Agency and will seek to preserve the environment in a responsible manner that will not unduly sacrifice our nation's economic well-being to appease the extreme left; and

Whereas, Mr. Pruitt has a long record of environmental protection in Oklahoma as the state's Attorney General. He negotiated a historic water rights settlement with Native American tribes that preserved the ecosystems of scenic lakes and rivers; he worked with his Democrat counterpart in Arkansas to reduce pollution in the Illinois River; and he represented the interests of Oklahomans in rate cases against utility companies and in numerous actions against those who contaminated his state's air and water, including lawsuits against oil and gas companies that were profiting off pollution and defrauding taxpayers; and

Whereas, for too long, the Environmental Protection Agency has overreached and sought aggressive measures that have achieved little environmental protection but have devastated economies and destroyed jobs. Mr. Pruitt will usher in an era of responsible stewardship, taking into account true costs and benefits of various approaches to environmental regulation. Unlike the current Environmental Protection Agency, he will be faithful to the wise balances struck in our nation's environmental laws; and

Whereas, unlike the current administration, Mr. Pruitt fully supports American energy producers and believes we must unleash America's energy revolution in order to create jobs and bring new wealth to the American people; and

Whereas, as Oklahoma Attorney General, Mr. Pruitt pushed for protections for local oil and gas producers to ensure they were not being infringed upon by an overbearing regulatory state; and

Whereas, Mr. Pruitt has demonstrated his willingness to take on and sue oil and gas producers when they have polluted in his own state; and

Whereas, Mr. Pruitt led efforts along with 18 attorneys general to successfully block the Environmental Protection Agency's attempts to harass America's farmers and ranchers by redefining what the term "navigable" water means under the Clean Water Act:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, hereby urge the United States Senate to confirm Mr. Pruitt as Administrator of the Environmental Protection Agency; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President Pro Tempore of the United States Senate and to all members of the Missouri Congressional delegation.

Senator Riddle offered Senate Resolution No. 29, regarding the 2016 Class 4 state champion Troy Buchanan High School Girls' Trojans Softball Team, which was adopted.

Senator Riddle offered Senate Resolution No. 30, regarding the 2016 Class 3 state champion Warrenton High School Girls' Warriors Softball Team, which was adopted.

Senator Riddle offered Senate Resolution No. 31, regarding Janice Sneller, Holts Summit, which was adopted.

Senator Riddle offered Senate Resolution No. 32, regarding Corrections Officer I Patsy Whitley, New London, which was adopted.

Senator Riddle offered Senate Resolution No. 33, regarding Corrections Officer I Melissa Archer, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 34, regarding Jim and Brenda Shortridge, Monroe County, which was adopted.

CONCURRENT RESOLUTIONS

Senator Kehoe moved that **HCR 1** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCR 1** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Kehoe moved that **HCR 2** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCR 2** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Schatz—1

Absent with leave—Senators—None

Vacancies—1

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 270—By Schaaf.

An Act to repeal sections 250.236, 386.430, 393.015, 393.016, 393.108, and 620.010, RSMo, and to enact in lieu thereof seven new sections relating to public utilities.

SB 271—By Wasson.

An Act to amend chapter 311, RSMo, by adding thereto one new section relating to intoxicating liquor that is manufactured on the grounds of a recreational resort.

SB 272—By Wasson.

An Act to amend chapter 163, RSMo, by adding thereto one new section relating to school districts' local effort.

SB 273—By Wasson.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to technology business facilities.

SB 274—By Wieland.

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to a qualifying life event for a special enrollment period.

SB 275—By Wieland.

An Act to repeal section 376.620, RSMo, and to enact in lieu thereof one new section relating to suicide exclusion clauses in life insurance.

SB 276—By Wieland.

An Act to repeal sections 150.470, 150.480, 150.490, 150.500, 150.510, 150.520, 150.530, and 150.540, RSMo, relating to peddlers' licenses and taxes.

SB 277—By Wieland.

An Act to repeal sections 546.680, 546.690, 546.700, 546.710, 546.720, 546.730, 546.740, 546.750, 546.800, 546.810, 546.820, 565.004, 565.006, 565.020, 565.030, 565.032, 565.035, and 565.040, RSMo, and to enact in lieu thereof four new sections relating to repealing the death penalty.

REFERRALS

President Pro Tem Richard referred **SCR 2** and **SCR 3** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was the 2nd time and referred to the Committee indicated:

SCR 4—Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 32—Government Reform.

SB 33—Education.

SB 34—Transportation, Infrastructure and Public Safety.

SB 35—Local Government and Elections.

SB 36—Local Government and Elections.

SB 37—Veterans and Military Affairs.

SB 38—Transportation, Infrastructure and Public Safety.

SB 39—Economic Development.

SB 40—Judiciary and Civil and Criminal Jurisprudence.

SB 41—Seniors, Families and Children.

SB 42—Professional Registration.

SB 43—Small Business and Industry.

SB 44—Education.

SB 45—Government Reform.

SB 46—Judiciary and Civil and Criminal Jurisprudence.

SB 47—Local Government and Elections.

SB 49—Progress and Development.

SB 50—Health and Pensions.

SB 51—Seniors, Families and Children.

SB 52—Education.

SB 53—Education.

SB 54—Small Business and Industry.

SB 55—Agriculture, Food Production and Outdoor Resources.

SB 56—General Laws.

SB 57—Commerce, Consumer Protection, Energy and the Environment.

SB 58—Education.

SB 59—Rules, Joint Rules, Resolutions and Ethics.

SB 60—Economic Development.

SB 61—Transportation, Infrastructure and Public Safety.

SB 62—Health and Pensions.

SB 63—Education.

SB 64—Transportation, Infrastructure and Public Safety.

SB 65—Transportation, Infrastructure and Public Safety.

SB 66—Small Business and Industry.

SB 67—Seniors, Families and Children.

SB 68—Judiciary and Civil and Criminal Jurisprudence.

SB 69—Small Business and Industry.

SB 70—Health and Pensions.

SB 71—Seniors, Families and Children.

SB 72—Health and Pensions.

SB 73—Rules, Joint Rules, Resolutions and Ethics.

SB 74—Health and Pensions.

SB 75—Local Government and Elections.

SB 76—Local Government and Elections.

SB 77—Agriculture, Food Production and Outdoor Resources.

SB 78—Economic Development.

SB 79—Economic Development.

SB 80—Ways and Means.

SB 81—Judiciary and Civil and Criminal Jurisprudence.

SB 82—Government Reform.

SB 83—Judiciary and Civil and Criminal Jurisprudence.

SB 84—Judiciary and Civil and Criminal Jurisprudence.

SB 85—Transportation, Infrastructure and Public Safety.

SB 86—Agriculture, Food Production and Outdoor Resources.

SB 87—General Laws.

SB 88—Government Reform.

SB 89—Transportation, Infrastructure and Public Safety.

SB 90—Small Business and Industry.

SB 91—Small Business and Industry.

SB 92—Economic Development.

SB 93—Local Government and Elections.

- SB 94**—Small Business and Industry.
- SB 95**—Local Government and Elections.
- SB 96**—Seniors, Families and Children.
- SB 97**—Health and Pensions.
- SB 98**—Education.
- SB 99**—Judiciary and Civil and Criminal Jurisprudence.
- SB 100**—Government Reform.
- SB 101**—Judiciary and Civil and Criminal Jurisprudence.
- SB 102**—Insurance and Banking.
- SB 103**—Seniors, Families and Children.
- SB 104**—Seniors, Families and Children.
- SB 105**—Ways and Means.
- SB 106**—Education.
- SB 107**—Education.
- SB 108**—Veterans and Military Affairs.
- SB 109**—Commerce, Consumer Protection, Energy and the Environment.
- SB 110**—Local Government and Elections.
- SB 111**—Local Government and Elections.
- SB 112**—Local Government and Elections.
- SB 113**—Small Business and Industry.
- SB 114**—Local Government and Elections.
- SB 115**—Education.
- SB 116**—Economic Development.
- SB 117**—Health and Pensions.
- SB 118**—Economic Development.
- SB 119**—Economic Development.
- SB 120**—Agriculture, Food Production and Outdoor Resources.
- SB 121**—Economic Development.
- SB 122**—Professional Registration.
- SB 123**—Agriculture, Food Production and Outdoor Resources.
- SB 124**—Local Government and Elections.
- SB 125**—Professional Registration.

SB 126—Judiciary and Civil and Criminal Jurisprudence.

SB 127—Local Government and Elections.

SB 128—Judiciary and Civil and Criminal Jurisprudence.

SB 129—Judiciary and Civil and Criminal Jurisprudence.

SB 130—Ways and Means.

SB 131—Transportation, Infrastructure and Public Safety.

INTRODUCTIONS OF GUESTS

Senator Munzlinger introduced to the Senate, his nephew and his wife, John and Lynn Houghton; and their granddaughter, Madyson Cliett; and Madyson was made an honorary page.

Senator Kraus introduced to the Senate, the physician of the day, Dr. Jon Patterson, Lee's Summit.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, January 11, 2017.

SENATE CALENDAR

FIFTH DAY—WEDNESDAY, JANUARY 11, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 132-Kraus	SB 148-Romine
SB 133-Chappelle-Nadal	SB 149-Schatz
SB 134-Chappelle-Nadal	SB 150-Schupp
SB 135-Curls	SB 151-Schupp
SB 136-Curls	SB 152-Schupp
SB 137-Curls	SB 153-Schaaf
SB 138-Sater	SB 154-Schaaf
SB 139-Sater	SB 155-Schaaf
SB 140-Sater	SB 156-Munzlinger
SB 141-Emery	SB 157-Dixon
SB 142-Emery	SB 158-Dixon
SB 143-Emery	SB 159-Dixon
SB 144-Wallingford	SB 160-Sater
SB 145-Wallingford	SB 161-Sater
SB 146-Romine	SB 162-Romine
SB 147-Romine	SB 163-Romine

SB 164-Romine	SB 204-Sifton
SB 165-Schupp	SB 205-Sifton
SB 166-Schaaf	SB 206-Sifton
SB 167-Schaaf	SB 207-Sifton
SB 168-Schaaf	SB 208-Sifton
SB 169-Dixon	SB 209-Wallingford
SB 170-Dixon and Sifton	SB 210-Onder
SB 171-Dixon and Sifton	SB 211-Wasson
SB 172-Romine	SB 212-Sater
SB 173-Schaaf	SB 213-Rowden
SB 174-Schaaf	SB 214-Emery
SB 175-Schaaf	SB 215-Emery
SB 176-Dixon	SB 216-Cunningham
SB 177-Dixon	SB 217-Nasheed
SB 178-Dixon	SB 218-Nasheed
SB 179-Brown	SB 219-Nasheed
SB 180-Nasheed	SB 220-Riddle
SB 181-Nasheed	SB 221-Riddle
SB 182-Onder	SB 222-Riddle
SB 183-Hoskins	SB 223-Schatz
SB 184-Emery	SB 224-Schatz
SB 185-Onder, et al	SB 225-Schatz
SB 186-Emery	SB 226-Koenig
SB 187-Hegeman	SB 227-Koenig
SB 188-Munzlinger	SB 228-Koenig
SB 189-Kehoe	SB 229-Riddle
SB 190-Emery	SB 230-Riddle
SB 191-Wallingford	SB 231-Schatz
SB 192-Wallingford	SB 232-Schatz
SB 193-Wallingford	SB 233-Wallingford
SB 194-Wallingford	SB 234-Libla
SB 195-Koenig	SB 235-Eigel
SB 196-Koenig	SB 236-Schatz
SB 197-Rowden	SB 237-Rowden
SB 198-Schaaf	SB 238-Onder
SB 199-Wasson	SB 239-Rowden
SB 200-Libla	SB 240-Schatz
SB 201-Onder	SB 241-Schatz
SB 202-Rowden	SB 242-Emery
SB 203-Sifton	SB 243-Hegeman

SB 244-Rowden	SB 267-Schatz
SB 245-Sater	SB 268-Schupp and Walsh
SB 246-Kraus	SB 269-Cunningham
SB 247-Kraus	SB 270-Schaaf
SB 248-Kraus	SB 271-Wasson
SB 249-Kehoe	SB 272-Wasson
SB 250-Kehoe	SB 273-Wasson
SB 251-Kehoe	SB 274-Wieland
SB 252-Dixon	SB 275-Wieland
SB 253-Nasheed	SB 276-Wieland
SB 254-Nasheed	SB 277-Wieland
SB 255-Nasheed	SJR 1-Schaaf
SB 256-Sater	SJR 2-Schaaf
SB 257-Hoskins	SJR 3-Schaaf
SB 258-Munzlinger	SJR 4-Chappelle-Nadal
SB 259-Munzlinger	SJR 5-Emery
SB 260-Munzlinger	SJR 6-Emery
SB 261-Munzlinger	SJR 7-Silvey
SB 262-Munzlinger	SJR 8-Romine
SB 263-Riddle	SJR 9-Romine
SB 264-Dixon	SJR 10-Holsman
SB 265-Schatz	SJR 11-Hegeman
SB 266-Schatz	SJR 12-Eigel

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SR 28-Romine

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Journal of the Senate

FIRST REGULAR SESSION

FIFTH DAY—WEDNESDAY, JANUARY 11, 2017

The Senate met pursuant to adjournment.

Senator Wallingford in the Chair.

Reverend Carl Gauck offered the following prayer:

“Then my soul shall rejoice in the Lord; exulting in his deliverance.” (Psalm 35:9)

Almighty Father, often we are struck with the wonder of this gift of life we have been given. Each day we are blessed and appreciate the opportunity to live with purpose and joy and be about what You have created us to be. And Lord we are most thankful for Your presence in our lives guiding us to live the abundant life found in You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

RESOLUTIONS

Senator Sater offered Senate Resolution No. 35, regarding Roland Dale Douglas, Branson West, which was adopted.

Senator Sater offered Senate Resolution No. 36, regarding the Sixtieth Wedding Anniversary of Rich and Wyn Wittig, Kimberling City, which was adopted.

Senator Riddle offered Senate Resolution No. 37, regarding the American Heart Association Midwest Affiliate, which was adopted.

CONCURRENT RESOLUTIONS

Senator Romine offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 5

Whereas, the Joachim Creek runs through both Jefferson County and St. Francois County in Missouri;

Whereas, the Joachim Creek has changed over the course of time and has begun to endanger the health, safety, and welfare of citizens by being prone to frequent flash flood events;

Whereas, it is pertinent that action be taken in order to ensure that citizens located near Joachim Creek have safe housing and a safe environment to work, live, and raise their families;

Whereas, citizens, government agencies, community groups, and businesses need to come together to provide solutions for those afflicted by the Joachim Creek frequent flash flood events;

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the City of DeSoto and Jefferson County to establish a Joachim Creek Joint Task Force in order to:

1. Establish an early warning system to alert citizens of the need to evacuate during a flash flood event;
2. Conduct a study to better identify areas that are truly affected by repeated flooding of the Joachim Creek, and to distribute such results to assist in long-term planning in the Jefferson County area;
3. Determine if an organized property buyout is possible for areas that are truly affected by repeated flooding of the Joachim Creek; and
4. Identify methods that allow the area to use such flooding as an economic development tool; and

Be It Further Resolved that the Task Force may include the following members:

1. Traysa Sauer, Committee Member, Concerned Citizens for Flood Relief;
2. Susan Liley, Committee Member, Concerned Citizens for Flood Relief;
3. Paula Arbuthnot, Committee Member, Concerned Citizens for Flood Relief;
4. Elaine Gannon, State Representative, Missouri House of Representatives, District 115;
5. Claire McCaskill, Senator, United States Senate, or her designee;
6. Roy Blunt, Senator, United States Senate, or his designee;
7. Jason Smith, Congressman, United States House of Representatives, Missouri's 8th District, or his designee;
8. Gary Romine, Senator, Missouri State Senate, District 3;
9. Ben Harris, State Representative, Missouri House of Representatives, District 118;
10. Ken Waller, County Executive, Jefferson County;
11. Warren Robinson, Director, Jefferson County Office of Emergency Management;
12. Eric Larson, Director, Code Enforcement Division, Jefferson County;
13. David Dews, City Manager, City of DeSoto;
14. A representative from the Army Corps of Engineers;
15. A representative from the Missouri State Emergency Management Agency;
16. A representative from the Federal Emergency Management Agency;
17. A representative from the Jefferson County Office of Economic Development; and

Be it Further Resolved that the Task Force may elect a chairperson and other officeholders from within its membership, and may add members to the Task Force by a majority vote; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Jefferson County Executive Ken Waller, Senator Claire McCaskill, Senator Roy Blunt, Congressman Jason Smith, the Director of the Missouri State Emergency Management Agency, the Administrator of the Federal Emergency Management Agency, and the Commanding General of the United States Army Corps of Engineers.

Senator Walsh offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 6

Whereas, meningococcal disease is any infection caused by the bacterium *Neisseria meningitidis*, or meningococcus. Although one in ten people are carriers for this bacteria with no signs or symptoms of disease, sometimes *Neisseria meningitidis* bacteria can cause illness; and

Whereas, meningococcal disease is spread from person to person through the exchange of bacteria through respiratory and throat secretion during close or lengthy contact; and

Whereas, in the United States, there are approximately 1,000 to 1,200 cases of meningococcal disease that occur each year; and

Whereas, ten to fifteen percent of infected individuals will die, while eleven to nineteen percent of those who live will suffer from serious morbidity, including loss of limbs and impacts to the nervous system; and

Whereas, infants under one year of age, as well as young adults between the ages of sixteen and twenty-one, are most commonly impacted by this disease; and

Whereas, there are different strains or serogroups of *Neisseria meningitidis*, with serogroups B, C, and Y accounting for most meningococcal disease in the United States; and

Whereas, there have been several recent outbreaks of serogroup B meningococcal disease on college campuses, with some cases resulting in death; and

Whereas, vaccines are available to prevent meningococcal disease, and different vaccines provide coverage against certain specific serogroups of the disease; and

Whereas, while there are vaccines that help provide protection against all three serogroups (B, C, and Y) commonly seen in the United States, only vaccination for serogroups A, C, W, and Y is routinely recommended by the Centers for Disease Control and Prevention; and

Whereas, the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices recommends that decisions to vaccinate adolescents and young adults sixteen through twenty-three years of age against serogroup B meningococcal disease should be made at the individual level with health care providers; and

Whereas, it is critical that students, parents, educators, and health care providers understand the dangers of meningitis B and are aware that a vaccine is available to prevent disease resulting from this serogroup:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, urge the Missouri Department of Higher Education and the Missouri Department of Health and Senior Services to encourage all public and private high schools, colleges, and universities in Missouri to provide information to all students, parents, and guardians about meningococcal disease, explaining the different disease serogroups, symptoms, risks, and treatment options; and

Be It Further Resolved that such information should also include a notice of availability, benefits, risks, and limitations of all meningococcal vaccines receiving a recommendation from the Advisory Committee on Immunization Practices, including Category A and Category B recommendations, with specific information as to those persons at higher risk for the disease; and

Be It Further Resolved that each public and private high school, college, and university in Missouri is urged to recommend that current and entering students receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices guidelines; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Director of the Missouri Department of Higher Education and the Director of the Missouri Department of Health and Senior Services.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were read the 1st time and ordered printed:

SB 278—By Emery.

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the comprehensive state energy plan.

SB 279—By Kraus.

An Act to repeal section 302.188, RSMo, and to enact in lieu thereof one new section relating to veteran designations on driver's licenses and identification cards.

SB 280—By Hoskins.

An Act to repeal section 302.183, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2015, with an emergency clause.

SB 281—By Hegeman.

An Act to repeal section 247.060, RSMo, and to enact in lieu thereof one new section relating to board members of public water supply districts.

SB 282—By Hegeman.

An Act to repeal section 287.243, RSMo, and to enact in lieu thereof one new section relating to compensation awarded under the Line of Duty Compensation Act.

SB 283—By Hegeman.

An Act to repeal sections 137.565 and 233.180, RSMo, and to enact in lieu thereof two new sections relating to special road district commissioner elections.

SB 284—By Hegeman.

An Act to repeal section 214.160, RSMo, and to enact in lieu thereof one new section relating to cemetery funds.

SB 285—By Koenig.

An Act to repeal sections 32.105, 32.110, 32.115, 100.286, 100.850, 135.010, 135.025, 135.352, 135.403, 135.484, 135.766, 135.825, 143.071, 253.550, 348.300, 348.302, 348.304, 348.306, 348.308, 348.310, 348.312, 348.316, 348.318, 447.708, and 620.1039, RSMo, and to enact in lieu thereof fourteen new sections relating to taxation.

SB 286—By Rizzo.

An Act to repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to real property owned by limited liability companies.

SB 287—By Nasheed.

An Act to repeal section 590.650, RSMo, and to enact in lieu thereof one new section relating to biased policing.

SB 288—By Nasheed.

An Act to repeal section 488.426, RSMo, and to enact in lieu thereof one new section relating to the law library surcharge.

SB 289—By Nasheed.

An Act to amend chapter 455, RSMo, by adding thereto three new sections relating to rental agreements of victims of certain types of abuse.

SB 290—By Schatz.

An Act to repeal sections 287.120, 287.140, 287.150, 287.170, and 287.780, RSMo, and to enact in lieu thereof five new sections relating to workers' compensation, with existing penalty provisions.

SB 291—By Rowden.

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to paid parental leave for state employees.

SB 292—By Rowden.

An Act to amend chapter 316, RSMo, by adding thereto one new section relating to ticket selling practices.

SJR 13—By Emery.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 1 and 6(a) of article X of the Constitution of Missouri, and adopting eleven new sections in lieu thereof relating to taxation.

SJR 14—By Kraus.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 17 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to term limits for statewide elected officials.

REFERRALS

President Pro Tem Richard referred **SR 28** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following escort committee pursuant to **HCR 1**: Senators Brown, Cunningham, Curls, Hummel, Libla, Rizzo, Sater, Schatz, Schupp and Walsh.

President Pro Tem Richard appointed the following escort committee pursuant to **HCR 2**: Senators Chappelle-Nadal, Dixon, Emery, Holsman, Onder, Nasheed, Schaaf, Sifton, Silvey and Walsh.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 132—Ways and Means.

SB 133—Education.

SB 134—Local Government and Elections.

SB 135—Judiciary and Civil and Criminal Jurisprudence.

SB 136—Local Government and Elections.

SB 137—Local Government and Elections.

SB 138—Health and Pensions.

SB 139—Seniors, Families and Children.

SB 140—Local Government and Elections.

SB 141—Health and Pensions.

SB 142—Judiciary and Civil and Criminal Jurisprudence.

SB 143—Judiciary and Civil and Criminal Jurisprudence.

SB 144—Veterans and Military Affairs.

SB 145—Commerce, Consumer Protection, Energy and the Environment.

SB 146—Local Government and Elections.

SB 147—Progress and Development.

SB 148—Government Reform.

SB 149—Ways and Means.

SB 150—Small Business and Industry.

SB 151—Insurance and Banking.

SB 152—Transportation, Infrastructure and Public Safety.

SB 153—General Laws.

SB 154—Judiciary and Civil and Criminal Jurisprudence.

SB 155—Insurance and Banking.

SB 156—Transportation, Infrastructure and Public Safety.

SB 157—Judiciary and Civil and Criminal Jurisprudence.

SB 158—Judiciary and Civil and Criminal Jurisprudence.

SB 159—Judiciary and Civil and Criminal Jurisprudence.

SB 160—Seniors, Families and Children.

SB 161—Local Government and Elections.

SB 162—Government Reform.

SB 163—Transportation, Infrastructure and Public Safety.

SB 164—Agriculture, Food Production and Outdoor Resources.

SB 165—Transportation, Infrastructure and Public Safety.

SB 166—Health and Pensions.

SB 167—Judiciary and Civil and Criminal Jurisprudence.

SB 168—Insurance and Banking.

SB 169—Judiciary and Civil and Criminal Jurisprudence.

- SB 170**—Judiciary and Civil and Criminal Jurisprudence.
- SB 171**—Judiciary and Civil and Criminal Jurisprudence.
- SB 172**—Transportation, Infrastructure and Public Safety.
- SB 173**—Education.
- SB 174**—Seniors, Families and Children.
- SB 175**—Government Reform.
- SB 176**—Judiciary and Civil and Criminal Jurisprudence.
- SB 177**—Judiciary and Civil and Criminal Jurisprudence.
- SB 178**—Judiciary and Civil and Criminal Jurisprudence.
- SB 179**—Economic Development.
- SB 180**—Transportation, Infrastructure and Public Safety.
- SB 181**—Transportation, Infrastructure and Public Safety.
- SB 182**—General Laws.
- SB 183**—Government Reform.
- SB 184**—Commerce, Consumer Protection, Energy and the Environment.
- SB 185**—Transportation, Infrastructure and Public Safety.
- SB 186**—Local Government and Elections.
- SB 187**—Transportation, Infrastructure and Public Safety.
- SB 188**—Education.
- SB 189**—Small Business and Industry.
- SB 190**—Commerce, Consumer Protection, Energy and the Environment.
- SB 191**—Local Government and Elections.
- SB 192**—Seniors, Families and Children.
- SB 193**—Insurance and Banking.
- SB 194**—Health and Pensions.
- SB 195**—Seniors, Families and Children.
- SB 196**—Seniors, Families and Children.

COMMUNICATIONS

Senator Walsh submitted the following:

January 10, 2017

Scott C. Englund, Chair
Mo Veterans Commission
1320 Roseview Drive
Jefferson City, MO 65101

Dear Mr. Englund,

It has been my pleasure to serve with you on the board of Missouri Veterans Commission. I have enjoyed working with you.

In connection with the reorganization of the 99th General Assembly, another Senate Democrat has been selected to serve on the MO Veterans Commission board. In order to defer to that appointment by Senate Minority Leader Gina Walsh, I hereby resign. Please consider my resignation effective today, January 10, 2017.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Senator Scott Sifton
District 1

Also,

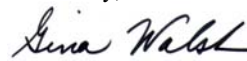
January 10, 2017

Adriane Crouse-Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65102

Dear Adriane:

Due to a recent resignation, there is now a vacancy for the minority caucus on the Missouri Veterans' Commission. Pursuant to the provisions of section 42.007, RSMo, I hereby appoint Senator Jill Schupp to the Missouri Veterans' Commission.

Sincerely,



Senator Gina Walsh
Minority Floor Leader

Also,

January 10, 2017

Mark Langworthy, Vice Chairperson
Missouri Consolidated Health Care Board of Trustees
832 Weathered Rock Court
Jefferson City, MO 65101

Dear Mr. Langworthy,

It has been my pleasure to serve with you on the board of Missouri Consolidated Health Care Plan. I have enjoyed working with you. In connection with the reorganization of the 99th General Assembly, another Senate Democrat has been selected to serve on the MCHCP board. In order to defer to that appointment by Senate Minority Leader Gina Walsh, I hereby resign. Please consider my resignation effective today, January 10, 2017.

It has been a pleasure to serve on the board for the Missouri Consolidated Health Care Plan.

Sincerely,



Senator Scott Sifton
District 1

President Pro Tem Richard submitted the following:

January 10, 2017

Senator Ron Richard – President Pro Tem
State Capitol, Room 326
Jefferson City, Missouri 65102

Dear Senator Richard:

Pursuant to Senate Rule 12 and in my capacity as Minority Floor Leader, I hereby remove Senator Jamilah Nasheed from the Committee on General Laws and appoint her to the Committee on Ways and Means.

In addition, again pursuant to Rule 12 and in my capacity as Minority Floor Leader, I appoint Senator Jake Hummel to the following committees: Agriculture, Food Production and Outdoor Resources; Commerce, Consumer Protection, Energy and the Environment; General Laws; Small Business and Industry; Transportation, Infrastructure and Public Safety; and Progress and Development.

Sincerely,



Senator Gina Walsh

Minority Floor Leader

Also,

January 11, 2017

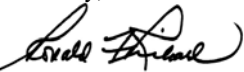
Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 12 and with the request of Senator Walsh, I hereby remove Senator Jamilah Nasheed from the Committee on General Laws and appoint her to the Committee on Ways and Means.

In addition, again pursuant to Senate Rule 12 and with the request of Senator Walsh, I appoint Senator Jake Hummel to the following committees: Agriculture, Food Production and Outdoor Resources; Commerce, Consumer Protection, Energy and the Environment; General Laws; Progress and Development; Small Business and Industry; and Transportation, Infrastructure and Public Safety.

Sincerely,



Ron Richard

President Pro Tem

Also,


January 10, 2017

Senator Ron Richard – President Pro Tem
State Capitol, Room 326
Jefferson City, Missouri 65102

Dear Senator Richard:

Due to a recent resignation from the Missouri Consolidated Health Care Plan Board of Trustees, there is now one minority caucus vacancy on that board. Please consider this correspondence to be my recommendation that Senator John Rizzo be appointed to that board. Pursuant to the provisions of section 103.008, RSMo, please consider this correspondence to be my concurrence of such an appointment.

Sincerely,



Senator Gina Walsh

Minority Floor Leader

Also,

January 11, 2017

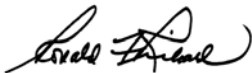
Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to provisions of Section 103.008 of the Revised Statutes of Missouri (RSMo), I hereby appoint the following Senator to the Missouri Consolidated Health Care Plan Board of Trustees.

Senator John Rizzo

Sincerely,



Ron Richard

President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Schupp introduced to the Senate, the Physician of the Day, Han Paik, M.D., Ballwin.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTH DAY—THURSDAY, JANUARY 12, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 197-Rowden
SB 198-Schaaf
SB 199-Wasson
SB 200-Libla
SB 201-Onder
SB 202-Rowden
SB 203-Sifton
SB 204-Sifton
SB 205-Sifton
SB 206-Sifton
SB 207-Sifton

SB 208-Sifton
SB 209-Wallingford
SB 210-Onder
SB 211-Wasson
SB 212-Sater
SB 213-Rowden
SB 214-Emery
SB 215-Emery
SB 216-Cunningham
SB 217-Nasheed
SB 218-Nasheed

SB 219-Nasheed	SB 260-Munzlinger
SB 220-Riddle	SB 261-Munzlinger
SB 221-Riddle	SB 262-Munzlinger
SB 222-Riddle	SB 263-Riddle
SB 223-Schatz	SB 264-Dixon
SB 224-Schatz	SB 265-Schatz
SB 225-Schatz	SB 266-Schatz
SB 226-Koenig	SB 267-Schatz
SB 227-Koenig	SB 268-Schupp and Walsh
SB 228-Koenig	SB 269-Cunningham
SB 229-Riddle	SB 270-Schaaf
SB 230-Riddle	SB 271-Wasson and Richard
SB 231-Schatz	SB 272-Wasson
SB 232-Schatz	SB 273-Wasson
SB 233-Wallingford	SB 274-Wieland
SB 234-Libla	SB 275-Wieland
SB 235-Eigel	SB 276-Wieland
SB 236-Schatz	SB 277-Wieland
SB 237-Rowden	SB 278-Emery
SB 238-Onder	SB 279-Kraus
SB 239-Rowden	SB 280-Hoskins
SB 240-Schatz	SB 281-Hegeman
SB 241-Schatz	SB 282-Hegeman
SB 242-Emery	SB 283-Hegeman
SB 243-Hegeman	SB 284-Hegeman
SB 244-Rowden	SB 285-Koenig
SB 245-Sater	SB 286-Rizzo
SB 246-Kraus	SB 287-Nasheed
SB 247-Kraus	SB 288-Nasheed
SB 248-Kraus	SB 289-Nasheed
SB 249-Kehoe	SB 290-Schatz
SB 250-Kehoe	SB 291-Rowden
SB 251-Kehoe	SB 292-Rowden
SB 252-Dixon	SJR 1-Schaaf
SB 253-Nasheed	SJR 2-Schaaf
SB 254-Nasheed	SJR 3-Schaaf
SB 255-Nasheed	SJR 4-Chappelle-Nadal
SB 256-Sater	SJR 5-Emery
SB 257-Hoskins	SJR 6-Emery
SB 258-Munzlinger	SJR 7-Silvey
SB 259-Munzlinger	SJR 8-Romine

SJR 9-Romine
SJR 10-Holsman
SJR 11-Hegeman

SJR 12-Eigel
SJR 13-Emery
SJR 14-Kraus

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 5-Romine

SCR 6-Walsh

✓

Journal of the Senate

FIRST REGULAR SESSION

SIXTH DAY—THURSDAY, JANUARY 12, 2017

The Senate met pursuant to adjournment.

Senator Kraus in the Chair.

Reverend Carl Gauck offered the following prayer:

“I give thanks to You, O Lord my God with my whole heart and I will glorify Your name forever.” (Psalm 86:12)

Thank You for a great week filled with Your blessings that have touched our lives. We return home for the continuing blessings of being with our loved ones, a time filled with joy and peace. We would ask that You will provide us with insight and understanding as we deepen established and build new relationships and serve Your people faithfully. In Your Holy Name we pray. Amen

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Kehoe—2

Vacancies—1

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 38, regarding the Syberg family, which was adopted.

Senator Sifton offered Senate Resolution No. 39, regarding Peggy Keilholz, Affton, which was adopted.

Senator Sifton offered Senate Resolution No. 40, regarding Dane Huxel, which was adopted.

Senator Sifton offered Senate Resolution No. 41, regarding Sergeant Ray Absolon, which was adopted.

Senator Sifton offered Senate Resolution No. 42, regarding Christopher Videmschek, which was adopted.

Senator Sifton offered Senate Resolution No. 43, regarding Teri Fehrenbach, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 44, regarding Reverend Joe Cox, St. Peters, which was adopted.

Senator Sifton offered Senate Resolution No. 45, regarding Rachel Eaton, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 46, regarding Shelly Meyer, Barnhart, which was adopted.

Senator Sifton offered Senate Resolution No. 47, regarding Paula Justus, Arnold, which was adopted.

Senator Sifton offered Senate Resolution No. 48, regarding Katherine Ann Johnson, which was adopted.

Senator Rowden offered Senate Resolution No. 49, regarding the death of Lewis George “Pat” Hemphill, Columbia, which was adopted.

Senator Sifton offered Senate Resolution No. 50, regarding William E. LaGrand, Sunset Hills, which was adopted.

Senator Hegeman offered Senate Resolution No. 51, regarding the Fiftieth Wedding Anniversary of Jim and Phyllis Schimming, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 52, regarding the Seventieth Wedding Anniversary of Dale and Lola Atkins, Rosendale, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 293—By Romine.

An Act to repeal section 319.318, RSMo, and to enact in lieu thereof one new section relating to the per ton fee for using explosives.

SB 294—By Romine.

An Act to amend chapter 253, RSMo, by adding thereto one new section relating to the renaming of a certain state park.

SB 295—By Schaaf.

An Act to repeal sections 50.1190, 52.290, 137.280, 137.345, 140.100, and 150.150, RSMo, and to enact in lieu thereof six new sections relating to fees to be paid to the county employees' retirement fund.

SB 296—By Hummel.

An Act to repeal section 86.207, RSMo, and to enact in lieu thereof one new section relating to membership of the police retirement system of St. Louis as a condition of employment, with an emergency clause.

SB 297—By Hummel.

An Act to amend chapters 306 and 320, RSMo, by adding thereto two new sections relating to electric shock drowning prevention, with penalty provisions.

REFERRALS

President Pro Tem Richard referred **SCR 5** and **SCR 6** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 197—Economic Development.

SB 198—Transportation, Infrastructure and Public Safety.

SB 199—Economic Development.

SB 200—Government Reform.

SB 201—Government Reform.

SB 202—Rules, Joint Rules, Resolutions and Ethics.

SB 203—Health and Pensions.

SB 204—Judiciary and Civil and Criminal Jurisprudence.

SB 205—Small Business and Industry.

SB 206—Education.

SB 207—Local Government and Elections.

SB 208—Local Government and Elections.

SB 209—Local Government and Elections.

SB 210—General Laws.

SB 211—Transportation, Infrastructure and Public Safety.

SB 212—Health and Pensions.

SB 213—Government Reform.

SB 214—Commerce, Consumer Protection, Energy and the Environment.

SB 215—Commerce, Consumer Protection, Energy and the Environment.

SB 216—Professional Registration.

SB 217—Economic Development.

SB 218—Seniors, Families and Children.

SB 219—Education.

SB 220—General Laws.

SB 221—Judiciary and Civil and Criminal Jurisprudence.

- SB 222**—Transportation, Infrastructure and Public Safety.
- SB 223**—Insurance and Banking.
- SB 224**—Small Business and Industry.
- SB 225**—Transportation, Infrastructure and Public Safety.
- SB 226**—Economic Development.
- SB 227**—Professional Registration.
- SB 228**—Health and Pensions.
- SB 229**—Health and Pensions.
- SB 230**—Seniors, Families and Children.
- SB 231**—Health and Pensions.
- SB 232**—Commerce, Consumer Protection, Energy and the Environment.
- SB 233**—Transportation, Infrastructure and Public Safety.
- SB 234**—Small Business and Industry.
- SB 235**—Local Government and Elections.
- SB 236**—Small Business and Industry.
- SB 237**—Government Reform.
- SB 238**—Education.
- SB 239**—Transportation, Infrastructure and Public Safety.
- SB 240**—Professional Registration.
- SB 241**—Agriculture, Food Production and Outdoor Resources.
- SB 242**—Commerce, Consumer Protection, Energy and the Environment.
- SB 243**—Transportation, Infrastructure and Public Safety.
- SB 244**—Veterans and Military Affairs.
- SB 245**—Seniors, Families and Children.
- SB 246**—Commerce, Consumer Protection, Energy and the Environment.
- SB 247**—Ways and Means.
- SB 248**—Ways and Means.
- SB 249**—Education.
- SB 250**—Ways and Means.
- SB 251**—Ways and Means.
- SB 252**—Judiciary and Civil and Criminal Jurisprudence.
- SB 253**—Transportation, Infrastructure and Public Safety.
- SB 254**—Small Business and Industry.

SB 255—Education.

SB 256—General Laws.

SB 257—Commerce, Consumer Protection, Energy and the Environment.

SB 258—Government Reform.

SB 259—Government Reform.

SB 260—Government Reform.

SB 261—Government Reform.

SB 262—Government Reform.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 11** to the Committee on Economic Development.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

January 12, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Section 160.254 of the Revised Statutes of Missouri (RSMo), I hereby appoint the following Senators to the Joint Committee on Education.

Senator Bill Eigel
Senator Dan Hegeman
Senator Caleb Rowden

Sincerely,



Ron Richard

President Pro Tem

On motion of Senator Onder, the Senate adjourned until 4:00 p.m., Tuesday, January 17, 2017.

SENATE CALENDAR

SEVENTH DAY—TUESDAY, JANUARY 17, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 263-Riddle

SB 264-Dixon

SB 265-Schatz	SB 289-Nasheed
SB 266-Schatz	SB 290-Schatz
SB 267-Schatz	SB 291-Rowden
SB 268-Schupp and Walsh	SB 292-Rowden
SB 269-Cunningham	SB 293-Romine
SB 270-Schaaf	SB 294-Romine
SB 271-Wasson and Richard	SB 295-Schaaf
SB 272-Wasson	SB 296-Hummel
SB 273-Wasson	SB 297-Hummel
SB 274-Wieland	SJR 1-Schaaf
SB 275-Wieland	SJR 2-Schaaf
SB 276-Wieland	SJR 3-Schaaf
SB 277-Wieland	SJR 4-Chappelle-Nadal
SB 278-Emery	SJR 5-Emery
SB 279-Kraus	SJR 6-Emery
SB 280-Hoskins	SJR 7-Silvey
SB 281-Hegeman	SJR 8-Romine
SB 282-Hegeman	SJR 9-Romine
SB 283-Hegeman	SJR 10-Holsman
SB 284-Hegeman	SJR 11-Hegeman
SB 285-Koenig	SJR 12-Eigel
SB 286-Rizzo	SJR 13-Emery
SB 287-Nasheed	SJR 14-Kraus
SB 288-Nasheed	

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTH DAY—TUESDAY, JANUARY 17, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

Happy are they that trust in the Lord! (Psalm 40:4a)

We celebrate, and give thanks yet today for the faithful servant in our God, Martin Luther King, who truly trusted in the Lord, spoke his word to us and sought to help us live lives in harmony with our God and with one another. May we find ways to enrich the lives of one another, seeking to follow the path our Lord lays out before us. May we walk it boldly and courageously doing that which is needed and helpful. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 12, 2017, was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Silvey offered Senate Resolution No. 53, regarding Eagle Scout Luke Jines, which was adopted.

Senator Riddle offered Senate Resolution No. 54, regarding Nora Black, Rush Hill, which was adopted.

Senator Silvey offered Senate Resolution No. 55, regarding Eagle Scout Quinn Logan Hall, Kansas City, which was adopted.

Senator Hoskins offered Senate Resolution No. 56, regarding Eagle Scout Conrad Benjamin Kreimeyer, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 57, regarding Eagle Scout Joshua Russell Petree, Knob Noster, which was adopted.

Senator Hoskins offered Senate Resolution No. 58, regarding Eagle Scout Tanner McCall Karnes, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 59, regarding Eagle Scout Christian Nathaniel Edwards, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 60, regarding Eagle Scout Tyler Dale Moore, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 61, regarding Eagle Scout Joshua Michael Tomich, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 62, regarding Eagle Scout Tyler Lucas Carr, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 63, regarding Eagle Scout Chance Volesky, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 64, regarding Eagle Scout Ethan James Orr, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 65, regarding Eagle Scout Matthew J. Richner, Warrensburg, which was adopted.

Senator Brown offered Senate Resolution No. 66, regarding Brody Neil Brown, Rolla, which was adopted.

CONCURRENT RESOLUTIONS

Senator Hoskins offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, the state of Missouri and Israel share a deep and abiding friendship based on a shared commitment to democratic values; and
Whereas, Missouri's own President Harry S. Truman announced on May 14, 1948, that the United States would become the first country to recognize the new Nation of Israel; and

Whereas, since its establishment, Israel has fulfilled the dreams of its founders, who evidence a vigorous, open, and stable democracy; and

Whereas, Israel's Declaration of Independence enshrines a foundation of freedom and democracy using the strongest possible language

that Israel will “ensure complete equality of social and political rights to all its inhabitants irrespective of religion, race or sex; it will guarantee freedom of religion, conscience, language, education and culture...” This idea is practiced in the unbroken tradition of free and open elections that is a necessary component to any vibrant democracy; and

Whereas, the election on March 17, 2015, is the most recent example of the commitment of Israel to the democratic ideals of freedom and pluralism, ideals that Israel shares with the United States; and

Whereas, Israel has a special relationship with the state of Missouri through cultural and economic partnerships resulting in numerous Israeli companies locating in Missouri for their North American headquarters as well as the Cooperative agreement between the Chief Science Officer of Israel and the Missouri Department of Economic Development to foster strategic partnerships between Israeli- and Missouri-based companies developing cutting edge technologies in agricultural science and other key technologies:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby:

(1) Express their respect and admiration for the people of Israel;

(2) Commend the people of Israel for reaffirming their dedication to democratic ideals as expressed in the election on March 17, 2015; and

(3) Restate the mission of the Missouri-Israel Cooperative Agreement, signed by the Missouri Department of Economic Development and the Israel Ministry of Industry and Trade in 1988, which calls for projects of mutual economic benefit through improved trade, technology development, science, agriculture, and tourism; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Prime Minister of Israel, Benjamin Netanyahu, and the Director of the Missouri Department of Economic Development.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 298—By Curls.

An Act to repeal sections 82.1025, 82.1027, and 82.1029, RSMo, and to enact in lieu thereof three new sections relating to nuisance actions in certain political subdivisions.

SB 299—By Curls.

An Act to amend chapter 82, RSMo, by adding thereto one new section relating to abandoned real property in certain cities.

SB 300—By Sater.

An Act to repeal section 162.401, RSMo, and to enact in lieu thereof one new section relating to bonding requirements for treasurers of seven-director school districts.

SB 301—By Wallingford.

An Act to repeal section 198.070, RSMo, and to enact in lieu thereof one new section relating to sexual assault reporting in long-term care facilities, with existing penalty provisions.

SB 302—By Wieland.

An Act to repeal section 68.075, RSMo, and to enact in lieu thereof one new section relating to advanced industrial manufacturing zones.

SB 303—By Wieland.

An Act to repeal section 537.065, RSMo, and to enact in lieu thereof one new section relating to

contracts limiting tortfeasor liability.

SB 304—By Wieland.

An Act to amend chapter 382, RSMo, by adding thereto nine new sections relating to the corporate governance of insurance companies, with a delayed effective date.

SB 305—By Kehoe, Onder and Richard.

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to lobbyist expenditures, with an existing penalty provision.

SB 306—By Hegeman.

An Act to repeal section 162.401, RSMo, and to enact in lieu thereof one new section relating to bonding requirements for treasurers of seven-director school districts.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 13th, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Christine L. Chinn, 3933 Highway 151, Clarence, Shelby County, Missouri 63437, as Director of the Department of Agriculture, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

January 13th, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Anne L. Precythe, 405 South Fourth Street, Smithfield, Johnston County, North Carolina 27577, as Director of the Department of Corrections, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 13th, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Sarah Hearne Steelman, 11820 Springhouse Lane, Rolla, Phelps County, Missouri 65401, as Commissioner of the Office of Administration, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,

Eric R. Greitens

Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 251** to the Committee on Agriculture, Food Production and Outdoor Resources.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate pursuant to **HCR 1**. Representatives: Cookson, Franklin, Bernskoetter, Redmon, Alferman, McCreery, Carpenter, Kendrick, Harris, and McGee.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 60**, entitled:

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating solely to lobbyist expenditures, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 7:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

On motion of Senator Kehoe, the Senate repaired to the House of Representatives to receive the State of the State Address from His Excellency, Governor Eric Greitens.

JOINT SESSION

The Joint Session was called to order by President Parson.

The Color Guard from the Missouri State Highway Patrol, Troop F, presented the colors.

The Pledge of Allegiance to the Flag was recited.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On roll call the following Representatives were present:

PRESENT: 155

Adams	Alferman	Anders	Anderson	Andrews	Arthur	Austin
Bahr	Bangert	Baringer	Barnes 28	Barnes 60	Basye	Beard
Beck	Bernskoetter	Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Brown 94	Burnett	Burns	Butler	Carpenter	Chipman
Christofanelli	Cierpiot	Conway 10	Conway 104	Cookson	Corlew	Crawford
Cross	Curtman	Davis	DeGroot	Dogan	Dohrman	Dunn
Eggleston	Ellebracht	Ellington	Engler	Evans	Fitzpatrick	Fitzwater 144
Fitzwater 49	Fraker	Francis	Franklin	Franks Jr	Frederick	Gannon
Gray	Green	Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon	Hill	Houghton
Houx	Hubrecht	Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Kolkmeier	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews	Matthiesen	McCaherty
McCann Beatty	McCreery	McDaniel	McGaugh	McGee	Meredith 71	Merideth 80
Messenger	Miller	Moon	Morgan	Morris	Mosley	Muntzel
Neely	Nichols	Peters	Pfautsch	Phillips	Pierson Jr	Pietzman
Pike	Plocher	Pogue	Quade	Razer	Redmon	Rehder
Reiboldt	Reisch	Remole	Rhoads	Roberts	Roden	Roeber
Rone	Ross	Rowland 155	Rowland 29	Runions	Ruth	Schroer
Shaul 113	Shull 16	Shumake	Smith 163	Sommer	Spencer	Stacy
Stephens 128	Stevens 46	Swan	Tate	Taylor	Trent	Unsicker
Vescovo	Walker 3	Walker 74	Wessels	White	Wiemann	Wilson
Wood	Mr. Speaker					

ABSENT: 6

Cornejo

Curtis

May

Mitten

Newman

Smith 85

VACANCIES: 1

The Joint Committee appointed to wait upon His Excellency, Governor Eric Greitens, escorted the Governor to the dais where he delivered the State of the State Address to the Joint Assembly:

Governor Eric Greitens
2017 State of the State Address

A Message From The People

Thank you, Lieutenant Governor Parson; Speaker Richardson and the members of the Missouri House; President Pro Tem Richard and members of the Missouri Senate; Chief Justice Breckenridge and the judges of the Supreme Court of Missouri; State officials; and our honored guests. Thank you.

And thank you to Sheena, my beautiful wife, and Missouri's First Lady.

We meet tonight in the people's chamber.

This is the seat of our republic—where the people's will should be done.

Many of you have been good keepers of the public's trust. Your families have sacrificed so that you can serve the people, and I appreciate you and your families.

But too many good, strong public servants have come here only to see the will of the people obstructed and corrupted by insiders and lobbyists.

This is a big place, with a powerful purpose, and it has too often been consumed by small goals and petty politics.

So tonight, I come bearing a simple message from the people of Missouri: They want a government that fights for them, and I come as an outsider ready to lead that fight.

Last week, I signed an executive order banning gifts from lobbyists to state employees of the executive branch.

I think all elected officials should do the same. And I thank Speaker Richardson, President Richard, Senator Kehoe, Representative Cierpoit, and other leaders in this room for their commitment to passing a ban on gifts from lobbyists.

In our first executive order, we also slammed shut the revolving door between employees of the Governor's office and lobbyists. The people in my office come to work knowing they will never be able to lobby our office.

I urge the legislature to do the same. During the campaign, we came up with a simple proposal that the people supported. If you've been in a legislative office for one year, and you decide you want to become a lobbyist, you have to wait one year. If you've been in office for two years, then you have to wait two years—and so on.

This is a simple, sensible proposal, and I'm committed to working with you to close the revolving door.

I also call on this legislature to put on the ballot, term limits for every statewide officeholder. I know that the people of Missouri will vote for term limits, and people are counting on us to put an end to politics as a lifelong profession.

This is the people's government, and these basic measures will begin to restore our people's trust in their government.

Missourians are a hardworking people. They want good, quality jobs.

I remember being out one morning meeting folks and shaking hands at a diner in Portageville.

It was 5 AM, and it was going to be a hot day—but people were up. They were ready to work.

In county after county—in Pemiscott County, and in Dunklin County, and in Mississippi County—I spoke to people who want to work, who want a job, who want to provide for their families.

They are sick of seeing their friends have to get in a truck and drive across state lines for work. But they look over the border—and see opportunity.

They see that in Arkansas and in Tennessee, paychecks are getting bigger.

They see other Midwestern states like Michigan and Indiana that are leading the nation in new factory job growth.

Since 2009, the country has had 10% private sector job growth. If we had grown just as fast as the rest of the country since '09, we would have 120,000 more jobs in Missouri today.

And if income in Missouri had risen at the same rate as the rest of the country, the average Missouri family would be making \$2,400 more every year. Instead, we've fallen behind.

The people have sent us a message: We must do everything in our power to put people back to work in good, high-paying jobs.

That's why we must join 27 other states and sign Right to Work.

That's why we must do away with expensive Project Labor Agreements that drive up the costs of construction and slow down important projects in our communities.

We must repeal our state's version of the Davis-Bacon act, which drives up the cost of important construction work that needs to get done. It hurts rural workers. It sets back rural families.

I've heard from small-town Mayors and County Commissioners who say that they are ready to build, to grow—but they need these reforms.

Our cities see the negative impact, too. People are tired of losing new jobs to Indianapolis, Nashville, or Des Moines. We must stay competitive.

We will eliminate these ineffective and outdated laws. And we will tap into the ingenuity and hard work of Missourians, because Missourians are ready to work.

There's another thing holding back jobs.

A report released about a month ago looked at every state, every city, and every county in the United States. And that report named St. Louis, Missouri the worst judicial hellhole in America.

This isn't a pretty picture. Here's what's happening: Out of state lawyers are suing businesses on behalf of out of state clients in Missouri's courts.

We're the place where the nastiest lawyers come to do work so dirty, and engage in lawsuits so murky, they wouldn't pass muster anywhere else.

What does this do? It scares away businesses. It means fewer jobs and smaller paychecks.

The companies intimidated by this shady practice have customers here. They could make even more money here. But they're afraid to expand their business here.

Trial lawyers can sue people in the state of Missouri, and because of how broken the system is, if they win just one dollar for their client, they still get paid huge legal fees.

For too long in this state, trial lawyers have picked our people's pockets.

It's time to do different.

There are some common sense changes we can make to fix this. We need to move to the Daubert standard for expert witness testimony. Right now, our standards are far too low. By moving to the Daubert standard, we'd be adopting the same standards used by the federal government and 39 other states.

We need to change our joinder and venue rules to end these out of state lawsuits. And we must end frivolous lawsuits by reforming the Missouri Merchandising Practices Act.

Our judicial system is broken, and the trial lawyers who have broken it, well, their time is up.

The people need us to fight for the jobs that lawyers are forcing out of our state. As Governor, I'm not afraid to take on the trial lawyers, of either party. I'm here to fight for the people, of both parties.

Another thing holding back jobs: burdensome regulations...

Last week, I signed an executive order putting a freeze on all new regulations and rulemaking. Let me tell you why.

There were two women in Missouri who had grown up braiding the hair of their family and friends and figured they could make a business of it.

Then they looked up what they'd need to do to become a hair braider in Missouri, and they were shocked.

Missouri's government mandates 1500 hours of expensive training for a hair braiding license. That's 30 hours per week of training for almost a full year...to braid hair.

We need to end frivolous regulations like these so that our people can start their own businesses and create jobs.

Over the course of the last 17 years, Missouri has issued over 40,000 pages of new regulations. If you laid those pieces of paper end to end, that's over 5 miles of new regulations.

These regulations, and those that come down from Washington, cost people money.

But there's a hidden cost, too. All of this regulation takes the joy out of running a business, running a farm, starting something new.

Farmers want to farm—not be lawyers and accountants. Business people want to build great things—not fill out endless paperwork.

And there's another problem: Some rules are necessary to protect health and safety. But when government spends time enforcing frivolous regulations, important things like safe water and safe travel don't get the time and attention they deserve.

I have ordered a complete review of every regulation in the state of Missouri. We're going to reduce unnecessary and outdated regulations so that we can get back to creating good, quality, high-paying jobs...

We need an effective government that serves the people and makes it easy to do business.

If you want to start or grow a business in the state of Missouri and hire more people with good jobs, I will be your friend and ally. I want the state of Missouri to work for you. To make it easy for you.

Right now, getting permits takes too long. People stand in too many lines for too many hours for too many basic services.

Part of the reason for this is that our government is running on too many broken and outdated systems that make it too hard to serve the people.

Some of our government's systems are still programmed using COBOL, a computer language developed in 1959.

We need a modern government that allows people to do more on-line instead of making them wait in line.

We also need to remember that many essential government services, whether it's law enforcement, transportation, or education, are delivered by people.

We need to support the hard-working employees in our government who do important public service. We have people at the State Emergency Management Agency, MoDOT and the Missouri State Highway Patrol, who worked non-stop from last Wednesday, straight through the Chiefs game, to make sure our state weathered this ice storm.

And our best state employees are being hurt by a big bloated bureaucracy. In Indiana, they have 46 state employees per 10,000 people in their state. In Illinois, they have 47 state employees for every 10,000 people. In Ohio, they have 55.

And in Missouri? We have 92 employees for every 10,000 people in our state.

Because of this, we are 50th out of 50 in state employee pay. We need to change that. Our government employees do important work—often really important, life-saving work. We need to reward the greatest in government service with better pay.

This is how a good business would run. We'd pay and promote our best people and make sure they know they are valued. And we'd have a government focused on doing fewer things but doing them well. That's how we'll be able to pay our star performers what they deserve.

That's one of the reasons why I'm committed to civil service reform, with a focus on making a smaller government that works better for all of our people and will make Missouri a better place to do business.

And there's another thing that's holding back jobs: our burdensome, complex, and unfair tax credit system.

All of you know how to run a family budget.

First, you pay down your credit card debt. Then, put some money away in a rainy day fund. Then, you budget for your most important needs.

Our constitution is wise. It follows that same advice. Our constitution lays out where our tax money should go.

First, it's supposed to pay off the debt. Then, it's supposed to fund our priorities.

There's a lot of wisdom there.

But unfortunately, the people who get paid first today are insiders and lobbyists who have rigged the system to get special interest tax credits.

Insiders are gaming this system. Since 2010, almost \$2 billion has been promised to special interests. The people taking the money swore that it was going to create jobs, but their performance hasn't lived up to their promises.

If special interest tax credits made for a prosperous economy, Missouri would be thriving.

What our people want is a tax structure that is simple, fair to everyone, and low.

But instead we have a tax structure that is complex, corrupt, and high.

Together, with a team of outsiders and legislators, we are going to do a thorough, end-to-end audit of our tax credit system—and create a tax code that works not to benefit privileged insiders, but instead is fair to all.

I ask all of you—all of you—to work with me. Our state can create more jobs by doing the right thing here.

And another thing that's holding back jobs is our broken welfare system.

For almost ten years, I worked with veterans who had been let down by the VA.

My wife Sheena and I would have these strong men and women around our dinner table.

And we'd hear over and over again about how the system failed these men and women.

When they came back from war, the VA told them, "If you're 60% disabled, we'll pay you as if you're 100% disabled as long as you don't work..."

So what do you think happened? People didn't work.

And not having a job sapped their spirits. The government handed them checks and pills. And instead of building new lives here at home, too many got stuck. They became trapped in lives of dependency and depression.

They lost their sense of dignity. And what's worse, it also affected their children and their families.

Missouri's system of welfare too often does the same to our people.

We must find a way to reform it—and replace it with a system that builds lives of self-reliance, dignity, and meaning.

But that's not the system we have now.

Recently, a non-partisan think tank took a close look at the welfare system in each state.

Here's how things work in Missouri:

Let's say you're a single mom working 30 hours a week, making \$12.25 an hour. You're working as hard as you can, taking care of your kid and trying to raise him right.

One day, your boss comes to you and offers you a \$5 an hour raise. That should add up to about \$7,500 to \$8,000 more a year.

But here's what happens in Missouri: If you take the raise, you'd lose over \$700 a year in food stamps and \$800 in housing subsidies.

You lose \$4,700 in childcare subsidies, and \$1,200 in the earned income tax credit. And you'd pay an extra \$800 in taxes.

That \$8000 raise cost you over \$8,200 dollars. That hard-working single mom is essentially robbed of her raise.

We need to build a system based on two simple principles:

- 1) It should always, always, always pay more to work in the state of Missouri.
- 2) If your boss gives you a raise, you should make more money.

I will work with all of you to build a system that lifts people out poverty and into the middle class, one based on hard work and personal responsibility.

Everywhere I went in the state of Missouri, people talked to me about the need for more jobs and higher pay.

They also talked about the need for safer streets.

Despite the failures of past politicians, the vast majority of the people in this state know, honor, and respect the men and women of law enforcement...

I want to say tonight—from this podium and in this place—thank to our law enforcement officers and first responders. And thank you to your families, who sacrifice every day so that we can be safe.

Here are the facts: three of the eleven most violent cities in America are in Missouri—St. Louis, Kansas City, and Springfield.

This violence affects far too many families—mine included.

And it's not just in the cities. When you talk to sheriffs, chiefs of police, and front line officers around the state, they'll tell you it's getting harder to do police work.

They'll tell you about what the FBI has identified: The Ferguson Effect.

They'll tell you that it's harder to recruit people to become police officers, and the officers who are on the job feel less empowered to proactively police.

Now, we're in a tough place in Missouri and we have to come together. We cannot go forward divided.

God has not given any of us a monopoly on wisdom. We all must make an effort to understand.

We will work with the law enforcement community and concerned citizens and clergy, to update our peace officers' standards and training.

We will make sure that all of our officers have the training, resources, and support they need both to protect themselves and to build strong relationships in their communities.

Here's what we have to do together: make this the greatest state in America to be a law enforcement officer, firefighter, or first responder. And we need to make this a state where every citizen feels that they too are safe and protected.

I want to establish a Blue Alert system, so that we can find and bring swift justice to anyone who assaults a law enforcement officer.

And my administration will work with this body to pass the toughest laws in the country for anyone who assaults a peace officer.

We need to make sure that our state highway patrol, that our corrections officers, have nonlethal tools like TASERs and adequate body armor when they are called to go into harm's way.

We also need to stand by our law enforcement officers, firefighters and first responders by aggressively applying for Homeland Security, AFG and SAFER Grants to make sure that they get every federal dollar they deserve.

And we also must work with the Department of Defense and with our military representatives here at home, including at Fort Leonard Wood, to make sure our military police officers and military firefighters can much more easily come back home and serve as police officers and firefighters on our streets.

We will do these things. But we need all of you to work alongside us to make Missouri safe.

And those of us in this room have a particular obligation. It is an obligation to hear people who are often unheard. To understand the frustrated, to listen to those who too often do not have a voice.

We need a justice system that does justice by all of our people. As a constitutional conservative, I believe, as you do, that the constitution applies to every citizen. I believe in the 6th Amendment, which guarantees the right to a fair trial and adequate legal representation for all.

I believe—as many of you do—that we must reform our corrections system. I believe our corrections officers do hard work, under difficult circumstances, and I am committed to standing by them and standing up for them.

In order to protect them, and in fact, in order to protect every citizen in Missouri, we need to find ways to reduce recidivism. If somebody gets out of prison, we want them to go to work. We want them to pay their fair share in taxes. We want them to take care of their kids. We want them to set a good example.

And the last thing we want is somebody coming out of prison and committing another crime which hurts another family and starts that same bad cycle all over again.

We need to do different. People who are in prison should have a clear plan—from the day they enter—about what direction their lives will take the day they leave.

To tackle this problem, we need to engage groups from across society: most importantly our faith community. I have seen that a turn towards faith can actually save lives in prison. And I will welcome our churches and our synagogues into our corrections facilities.

These steps are but the beginning. And the path towards safer streets for all is built on a combination of support for law enforcement, relationships rooted in understanding, economic and educational opportunity, and a justice system that has the confidence of all of its citizens.

Peace is more than the absence of war. And safety and security are more than the absence of violence. Safety and security are built on the basis of understanding—and we in the people's house must be examples for making an effort to understand each other and bring communities together.

That understanding starts with our young people. And it begins in our homes—and in our schools.

I think we will all agree that we have incredible young people here in the state of Missouri.

And yet, we have an education system that ranks near last in every measure that matters.

Our people have done their part. Missouri pays about the national average for its education system.

Yet even though we spend what the rest of the country spends on education, we rank 47th in starting teacher pay. We have great teachers, and I believe our great teachers deserve to be paid more.

And let me be perfectly clear: this administration is committed to protecting teachers' pensions.

What we need to do is make sure that the money we spend finds its way into the classroom.

Over half of Missouri school districts do not offer a single Advanced Placement class. Over 200 of our 520 school districts did not have a single student in physics. Over 100 did not have a single student enrolled in chemistry.

We need to expand course access programs, so that every child in Missouri can use technology to get the education they need.

We also need to make sure that every child in Missouri, especially those kids with special needs, get a fair shot at the American Dream. I will work with you to implement Education Savings Accounts for children with special needs.

Education Savings Accounts are simple. Kids with special needs have IEPs, individualized education plans. With education savings accounts, parents are able to use their fair share of state education money in a way that fits with what their kids need.

Arizona was the first state in the country to try these accounts, and the program has been a success. Parents are much happier with their children's educations, and children are able to get the kind of education that meets their needs.

We do best when we put power into the hands of parents and teachers at the local level.

Special needs families know their children best. And it is time we gave control back to those parents, to select the best possible education for their children.

Every kid in the state of Missouri—whether in a public school, private school, or homeschool—deserves a fair shot at the American Dream. And these are just a few of the things we can do to make that happen.

What I have outlined tonight are some of the simple and sensible requests that the people have for all of us.

And this is how we begin. Not every problem that we're facing in the state of Missouri can be solved in the next week, the next month or the next year. But this agenda is a strong and bold start.

We have an opportunity to have a truly historic legislative session. Let's heed the voice of the people and let's take Missouri in a new direction.

Thank you very much. God bless you and God bless the people of Missouri.

On motion of Senator Kehoe, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Parson.

INTRODUCTIONS OF GUESTS

Senator Rowden introduced to the Senate, Nikki Reynolds, Brooke Omar, Jami Borland, Tanya Jemma, Tabitha Johnson, Chrissy Meyer and Michelle Medenis; and students Ethan Abadi, Ainsley Armstrong, Kolby Borland, Ashton Buckridge, Shannon Bullard, Zayn Dalabih, Hana Jarbou, Shayla Johnson, Dryson Jordan, Trinity Kane, Aliyana Kardon-Allen, Alli Kaufman, Carly Meyer, Layla Omar, Evie Penman, Brody Reynolds and Maeve Rush, Columbia Independent School.

Senator Riddle introduced to the Senate, Avery Smith, Holts Summit; and Avery was made an honorary page.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, January 18, 2017.

SENATE CALENDAR

EIGHTH DAY—WEDNESDAY, JANUARY 18, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 263-Riddle	SB 291-Rowden
SB 264-Dixon	SB 292-Rowden
SB 265-Schatz	SB 293-Romine
SB 266-Schatz	SB 294-Romine
SB 267-Schatz	SB 295-Schaaf
SB 268-Schupp and Walsh	SB 296-Hummel
SB 269-Cunningham	SB 297-Hummel
SB 270-Schaaf	SB 298-Curls
SB 271-Wasson and Richard	SB 299-Curls
SB 272-Wasson	SB 300-Sater
SB 273-Wasson	SB 301-Wallingford
SB 274-Wieland	SB 302-Wieland
SB 275-Wieland	SB 303-Wieland
SB 276-Wieland	SB 304-Wieland
SB 277-Wieland	SB 305-Kehoe, et al
SB 278-Emery	SB 306-Hegeman
SB 279-Kraus	SJR 1-Schaaf
SB 280-Hoskins	SJR 2-Schaaf
SB 281-Hegeman	SJR 3-Schaaf
SB 282-Hegeman	SJR 4-Chappelle-Nadal
SB 283-Hegeman	SJR 5-Emery
SB 284-Hegeman	SJR 6-Emery
SB 285-Koenig	SJR 7-Silvey
SB 286-Rizzo	SJR 8-Romine
SB 287-Nasheed	SJR 9-Romine
SB 288-Nasheed	SJR 10-Holsman
SB 289-Nasheed	SJR 11-Hegeman
SB 290-Schatz	SJR 12-Eigel

SJR 13-Emery

SJR 14-Kraus

HOUSE BILLS ON SECOND READING

HB 60-Alferman

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 7-Hoskins

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Journal of the Senate

FIRST REGULAR SESSION

EIGHTH DAY—WEDNESDAY, JANUARY 18, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“The law of the Lord is perfect, reviving the soul; the decrees of the Lord are sure.” (Psalm 19:7)

Heavenly Father: We are most thankful for Your presence with us as we try to make laws that enlighten and provide justice for our people. Guide and direct our minds and actions this day that we might be about what is required of us by You having a clear eye of discernment and rejoicing heart in our interactions with one another and with You our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for the previous day was read and approved.

Senator Kehoe announced photographers from St. Louis Public Radio and KSN-KODE-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Riddle—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 67, regarding Joanne White, West Plains, which was adopted.

Senator Sater offered Senate Resolution No. 68, regarding the Sixtieth Wedding Anniversary of Terry and Laverne Hatridge, Galena, which was adopted.

Senator Hegeman offered Senate Resolution No. 69, regarding the Seventieth Wedding Anniversary of Bill and Sally Collings, Trenton, which was adopted.

Senator Hegeman offered Senate Resolution No. 70, regarding the Sixtieth Wedding Anniversary of Gary and Barbara Hostetter, Milan, which was adopted.

Senator Rowden offered Senate Resolution No. 71, regarding Jan Hemm Pritchard, Columbia, which was adopted.

Senator Silvey offered Senate Resolution No. 72, regarding C. Edward Bradley, Lake Waukomis, which was adopted.

Senator Schaaf offered Senate Resolution No. 73, regarding the Fiftieth Wedding Anniversary of Dick and Patty Hansen, which was adopted.

Senator Schaaf offered Senate Resolution No. 74, regarding the Fiftieth Wedding Anniversary of Kenneth and Sheron Russell, which was adopted.

Senator Curls offered Senate Resolution No. 75, regarding Colonel J. Bret Johnson, which was adopted.

CONCURRENT RESOLUTIONS

Senators Schupp and Nasheed offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 8

Whereas, extensive and credible reports have revealed mass killing of prisoners of conscience in the People's Republic of China, primarily practitioners of the spiritual based exercises of Falun Gong, but also other religious and ethnic minority groups, in order to obtain organs for transplants; and

Whereas, the organ transplantation system in China does not comply with the World Health Organization's Guiding Principles of traceability and transparency in organ procurement pathways, and the government of the People's Republic of China has resisted independent scrutiny of the system; and

Whereas, traditional Chinese custom requires bodies to be preserved intact after death. With rare voluntary organ donation, however, China's transplantation industry significantly increased since 2000; and

Whereas, the Department of State Country Report on Human Rights for China for 2011 stated, "Overseas and domestic media and advocacy groups continued to report instances of organ harvesting, particularly from Falun Gong practitioners and Uighurs"; and

Whereas, a new investigative report, published in June 2016, conducted by human rights attorney David Matas, former Canadian Secretary of State for Asia-Pacific David Kilgour, and journalist Ethan Gutmann, estimated that China is performing 60,000 to 100,000 transplants per year as opposed to 10,000 transplants claimed by the Chinese government, which is "an industrial-scale, state-directed organ transplantation system, controlled through national policies and funding, and implicating both the military and civilian healthcare systems"; and

Whereas, China's Liver Transplant Registry System indicated that more than 25% of cases were emergency transplants, for which an organ was found within days or even hours. Wait times for non-emergency liver transplants were usually quoted in weeks. Most patients in other countries have to wait years for a transplant; and

Whereas, the Chinese government claims that 90% of China's organ transplant sources come from executed prisoners. However, the

number of executions has dropped 10% annually since 2002 and is far less than the number of transplants taking place. The government has never acknowledged the sourcing of organs from prisoners of conscience; and

Whereas, Falun Gong, a spiritual practice involving meditative “qigong” exercises and centered on the values of truthfulness, compassion, and forbearance, became immensely popular in China in the 1990s, with multiple estimates placing the number of practitioners at upwards of 70 million; and

Whereas, in July 1999, the Chinese Communist Party launched an intensive, nationwide persecution designed to eradicate the spiritual practice of Falun Gong, including physical and mental torture, reflecting the party’s long-standing intolerance of large independent civil society groups; and

Whereas, since 1999, hundreds of thousands of Falun Gong practitioners have been detained extra-legally in Chinese reeducation-through-labor camps, detention centers, and prisons, where torture, abuse, and implausible medical exams and blood tests on Falun Gong practitioners are routine; and

Whereas, Freedom House reported in 2015 that Falun Gong practitioners comprise the largest portion of prisoners of conscience in China, and face an elevated risk of dying or being killed in custody; and

Whereas, the United Nations Committee Against Torture and the Special Rapporteur on Torture have expressed concern over the allegations of organ harvesting from Falun Gong prisoners, and have called on the Government of the People’s Republic of China to increase accountability and transparency in the organ transplant system and punish those responsible for abuses; and

Whereas, in June 2016, the U.S. House of Representatives unanimously passed House Resolution 343, condemning the systematic, state-sanctioned organ harvesting from Falun Gong and other prisoners of conscience; and

Whereas, the killing of religious or political prisoners for the purpose of selling their organs for transplant is an egregious and intolerable violation of the fundamental right to live; and

Whereas, organ tourism to China should not be shielded by medical confidentiality, but openly monitored. No nation should allow their citizens to go to China for organs until China has allowed a full investigation into organ harvesting of prisoners of conscience, both past and present:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby:

(1) Call on the Government of the People’s Republic of China to immediately end the practice of organ harvesting from all prisoners and prisoners of conscience, and explicitly from Falun Gong prisoners of conscience and members of other religious and ethnic minority groups;

(2) Call upon the Government of the People’s Republic of China to immediately end the 17-year persecution of the Falun Gong, and the immediate release of all Falun Gong practitioners and other prisoners of conscience;

(3) Call upon the President of the United States to undertake a full and transparent investigation by the United States Department of State into organ transplant practices in the People’s Republic of China, and calls for the prosecution of those found to have engaged in such unethical practices;

(4) Will take measures to initiate a registry for residents of Missouri who travel abroad to receive organ transplants; and

(5) Will take measures to ban the entry of those who have participated in illegal removal of human tissues and organs, and seek prosecution of such individuals should they be found on the soil of Missouri; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Vice President of the United States, the Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the chair of the Senate Committee on Foreign Affairs, the chair of the House Committee on Foreign Relations, and each member of the Missouri’s Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 307—By Munzlinger.

An Act to repeal sections 144.010, 262.900, 265.300, 267.565, 276.606, and 277.020, RSMo, and to enact in lieu thereof six new sections relating to agriculture.

SB 308—By Chappelle-Nadal.

An Act to amend chapter 30, RSMo, by adding thereto one new section relating to the investment

policies of public entities, with a referendum clause.

SB 309—By Walsh and Onder.

An Act to repeal sections 56.363, 56.805, 56.807, 56.814, 56.818, 56.833, and 56.840, RSMo, and to enact in lieu thereof seven new sections relating to the retirement system for prosecuting and circuit attorneys.

SB 310—By Wasson.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to residential dwellings offered for rent to transient guests.

SB 311—By Wasson.

An Act to repeal section 137.095, RSMo, and to enact in lieu thereof one new section relating to property tax for vehicles traveling in interstate commerce.

SB 312—By Wasson.

An Act to repeal section 338.202, RSMo, and to enact in lieu thereof one new section relating to maintenance medication filled by pharmacists.

SB 313—By Koenig.

An Act to amend chapters 135 and 166, RSMo, by adding thereto ten new sections relating to educational scholarships, with a penalty provision.

SB 314—By Schatz.

An Act to amend chapter 195, RSMo, by adding thereto seven new sections relating to a program for the monitoring of certain prescribed controlled substances, with penalty provisions.

SB 315—By Eigel.

An Act to amend chapters 302 and 304, RSMo, by adding thereto two new sections relating to transportation regulations, with a referendum clause.

REFERRALS

President Pro Tem Richard referred **SCR 7** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Schatz introduced to the Senate, the Physician of the Day, Dr. Thomas Stamos, Chesterfield.

Senator Onder introduced to the Senate, members of St. Charles County Realtors Association.

Senator Onder introduced to the Senate, Arnie C. Dienoff, O'Fallon.

Senator Hoskins introduced to the Senate, Rebecca Boyer, Nick Graff, Steve Mathias, Jennifer Reynolds-Moehrle, Jan Ulm, Cathy Goldsticker and Stephanie Richter, St. Louis; Rachel Dwiggin, Chuck Robb and Mark Radetic, Kansas City; Mike Notorangelo and Julie Wolfe, Chesterfield; Bob Letterman and Steve York, Lee's Summit; Randy Hilger, Lake St. Louis; Jen Vacha, Troy; Jay Decker, Poplar Bluff;

Wendy Shireman and Jim O'Hallaron, Kirkwood; Jeremy Morris, Jefferson City; John Lindbloom, Wildwood; Jene Crook, Marshall; Sondra DePriest, Savannah; and Nick Myers, Joplin, members of the Missouri Society of Certified Public Accountants.

The President introduced to the Senate, Justin and Lynn Farrell, Osage Beach; and Ryan Gattermeir, Lake Ozark.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

NINTH DAY—THURSDAY, JANUARY 19, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 263-Riddle	SB 285-Koenig
SB 264-Dixon	SB 286-Rizzo
SB 265-Schatz	SB 287-Nasheed
SB 266-Schatz	SB 288-Nasheed
SB 267-Schatz	SB 289-Nasheed
SB 268-Schupp and Walsh	SB 290-Schatz
SB 269-Cunningham	SB 291-Rowden
SB 270-Schaaf	SB 292-Rowden
SB 271-Wasson and Richard	SB 293-Romine
SB 272-Wasson	SB 294-Romine
SB 273-Wasson	SB 295-Schaaf
SB 274-Wieland	SB 296-Hummel
SB 275-Wieland	SB 297-Hummel
SB 276-Wieland	SB 298-Curls
SB 277-Wieland	SB 299-Curls
SB 278-Emery	SB 300-Sater
SB 279-Kraus	SB 301-Wallingford
SB 280-Hoskins	SB 302-Wieland
SB 281-Hegeman	SB 303-Wieland
SB 282-Hegeman	SB 304-Wieland
SB 283-Hegeman	SB 305-Kehoe, et al
SB 284-Hegeman	SB 306-Hegeman

SB 307-Munzlinger
SB 308-Chappelle-Nadal
SB 309-Walsh and Onder
SB 310-Wasson
SB 311-Wasson
SB 312-Wasson
SB 313-Koenig
SB 314-Schatz
SB 315-Eigel
SJR 1-Schaaf
SJR 2-Schaaf
SJR 3-Schaaf

SJR 4-Chappelle-Nadal
SJR 5-Emery
SJR 6-Emery
SJR 7-Silvey
SJR 8-Romine
SJR 9-Romine
SJR 10-Holsman
SJR 11-Hegeman
SJR 12-Eigel
SJR 13-Emery
SJR 14-Kraus

HOUSE BILLS ON SECOND READING

HB 60-Alferman

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SCR 8-Schupp and Nasheed

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Journal of the Senate

FIRST REGULAR SESSION

NINTH DAY—THURSDAY, JANUARY 19, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“How precious also are Thy thoughts unto me, O God! How great is the sum of them! If I should count them, they are more in number than the sand.” (Psalm 139:17-18)

Gracious God: Provide us time with friends and family and time in Your house this weekend, for we rejoice knowing the bounty of Your blessings and that whatever comes into our lives first existed as a thought in Your mind. May we gratefully acknowledge Your gifts to us and give You thanks for watching our going out and coming in. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 76, regarding the death of Dan Ray, Lampe, which was adopted.

Senator Libla offered Senate Resolution No. 77, regarding Faurecia, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 78, regarding Mary Ann Taylor, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 79, regarding the Historic Downtown Dexter Association, which was adopted.

Senator Libla offered Senate Resolution No. 80, regarding Katrina Prance, Dexter, which was adopted.

Senator Libla offered Senate Resolution No. 81, regarding Pizza Hut, Dexter, which was adopted.

Senator Walsh offered Senate Resolution No. 82, regarding Kevin Boschert, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 83, regarding Lori Bethman, Hazelwood, which was adopted.

Senator Sifton offered Senate Resolution No. 84, regarding Affton Plaza, which was adopted.

CONCURRENT RESOLUTIONS

Senator Holsman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 9

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which regulate elections.

Whereas, the framers of the Constitution of the United States of America intended that the Congress of the United States of America should be "dependent on the people alone" (James Madison, Federalist 52); and

Whereas, that dependency has evolved from a dependency on the people alone to a dependency on powerful special interests, through campaigns or third-party groups, that have created a fundamental imbalance in our representative democracy; and

Whereas, Americans across the political spectrum agree that elections in the United States of America should be free from the disproportional influence of special interests and fair enough that any citizen can be elected into office; and

Whereas, the Constitution of the State of Missouri states "that all political power is vested in and derived from the people; that all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole" and the people have the exclusive right to alter their constitutions of government whenever they deem it necessary (Article I, Sections 1 & 3); and

Whereas, Article V of the United States Constitution requires Congress to call a convention for proposing amendments to the federal Constitution on the application of two-thirds of the legislatures of the several states; and

Whereas, the Missouri General Assembly perceives the need for an amendments convention in order to restore balance and integrity to our elections by proposing an amendment to the federal Constitution that will permanently protect free and fair elections in America by addressing, inter alia, issues raised by the decisions of the United States Supreme Court in *Citizens United v. Federal Election Commission* (2010) 130 S.Ct. 876 and related cases and events, and desires that said convention should be so limited; and

Whereas, the State of Missouri desires that the delegates to said convention shall be comprised equally of individuals currently elected to state and local office, or be selected by election, in each Congressional district for the purpose of serving as delegates, though all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates to the convention, and intends to retain the ability to restrict or expand the power of its delegates within the limits expressed herein; and

Whereas, the State of Missouri intends that this be a continuing application considered together with applications calling for a convention passed in the 2013-2014 Vermont legislature as R454, the 2013-2014 California legislature as Resolution Chapter 77, the 98th Illinois General Assembly as SJR 42, the 2014-2015 New Jersey legislature as SCR 132, the 2015-2016 Rhode Island legislature as HR 7670 and SR 2589,

and all other passed, pending, and future applications until such time as two-thirds of the several states have applied for a convention for a similar purpose and said convention is convened by Congress:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby apply to the United States Congress, under the provisions of Article V of the United States Constitution for the calling of a convention of the states for the exclusive purpose of proposing an amendment to the United States Constitution that will restore free and fair elections as described herein; and

Be It Further Resolved that the Secretary of the Senate transmit copies of this resolution to the President of the United States; the Vice President of the United States in his capacity as presiding officer of the United States Senate, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate, to each Senator and Representative from Missouri in the Congress of the United States with the respectful request that the full and complete text of this resolution be printed in the Congressional Record, to the presiding officers of each legislative body of each of the several states, requesting the cooperation of the states in issuing an application compelling Congress to call a convention for proposing amendments pursuant to Article V of the U.S. Constitution.

Read 1st time.

Senator Wieland offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 10

Whereas, the deeply held religious convictions and moral beliefs of the people of the State of Missouri and the City of Saint Louis should be respected rather than attacked; and

Whereas, Saint Louis Board of Aldermen Board Bill 203 would allow the City of Saint Louis to penalize by fines of up to five hundred dollars and imprisonment for up to ninety days, property owners and Missouri citizens who choose not to be associated with the abortion industry; and

Whereas, Board Bill 203 would allow the City of Saint Louis to penalize by fines of up to five hundred dollars and imprisonment for up to ninety days, religious institutions and Missourians of faith for making employment decisions based upon their religious beliefs and practices; and

Whereas, Board Bill 203 would force the citizens of Missouri and the City of Saint Louis to be complicit in the intrinsic evil of abortion; and

Whereas, Board Bill 203 would violate religious liberty and individual rights to conscience; and

Whereas, Board Bill 203 would represent a grave abuse of local authority and threaten constitutional liberties of the residents of, and property owners and employers in, the State of Missouri and the City of Saint Louis, including those guaranteed by the Bill of Rights, the Missouri Constitution, and Missouri law, such as the Missouri Religious Freedom Restoration Act of 2003 and Senate Bill 749 of 2012; and

Whereas, it should be the moral imperative of all governmental bodies to RESPECT and PROTECT life at all of its stages; and

Whereas, the United States Supreme Court has ruled that citizens cannot be compelled to violate their religious practices and beliefs, such as in its 2014 decision of *Burwell v. Hobby Lobby*; and

Whereas, Board Bill 203 would violate Missouri law related to the regulation of abortion, including but limited to, the right of conscience of health care providers and institutions, employers, and taxpayers who oppose abortion and the funding thereof, as found in Chapters 188, 191, and 197 of the Missouri statutes:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the City of Saint Louis Board of Aldermen to defeat Board Bill 203 and protect the religious liberty and right of conscience of all Missouri citizens, property owners, and employers; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Mayor, the President of the Board of Aldermen, and each member of the Board of Aldermen of the City of Saint Louis.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 316—By Rowden.

An Act to amend chapter 407, RSMo, by adding thereto eight new sections relating to password protection.

SB 317—By Sater.

An Act to repeal section 334.253, RSMo, and to enact in lieu thereof one new section relating to physician referral for physical therapy.

SB 318—By Sifton and Hummel.

An Act to repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to unlawful possession of firearms, with penalty provisions.

SB 319—By Hummel.

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to the administration of emergency services in certain cities.

SB 320—By Hummel.

An Act to repeal section 67.275, RSMo, and to enact in lieu thereof one new section relating to electrical contractor licenses.

SB 321—By Hegeman.

An Act to repeal section 307.178, RSMo, and to enact in lieu thereof one new section relating to the admissibility of the use of a safety belt as evidence of comparative negligence, with an existing penalty provision.

SB 322—By Wieland and Romine.

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of certain memorial infrastructure.

RESOLUTIONS

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 85

WHEREAS, the Administration Committee is required by law to establish the rates of pay each year, and

WHEREAS, such rates of pay are to be the same as those established under the policies of the Personnel Division of the Office of Administration for comparable duties after examination of the rates of pay then in effect, and

WHEREAS, the rates of pay established shall become effective in January.

NOW, THEREFORE, BE IT RESOLVED by the Committee on Administration that the number, classification and rates of pay authorized for employees of the Senate shall include one department director and six division level directors to be compensated according to Office of Administration guidelines; and the following authorized employees at rates of pay within the ranges hereby established.

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
4	Staff Attorney	\$4,042 - \$6,561
3	Research Analyst II	\$3,432 - \$5,007
2	Assistant Director General Research	\$4,042 - \$6,561
3.5	Research Staff Secretary	\$2,868 - \$4,710
2	Budget Research Analyst II	\$3,432 - \$5,007
2	Budget Research Analyst III	\$4,071 - \$5,917
1	Assistant Director Budget Research	\$4,042 - \$6,561

<u>NO.</u>	<u>CLASSIFICATION</u>	<u>MONTHLY SALARY RANGE</u>
1	Budget Staff Secretary	\$2,868 - \$4,710
1	Assistant Secretary of Senate	\$3,432 - \$5,556
1.5	Deputy Secretary of Senate	\$2,548 - \$3,565
1	Enrolling & Engrossing Supervisor	\$3,432 - \$5,556
3	Enrolling & Engrossing Clerk	\$2,548 - \$3,565
1	Billroom Supervisor	\$2,548 - \$3,565
1	Billroom Clerk	\$2,195 - \$3,015
6	Public Information Specialist I	\$2,548 - \$3,565
2	Resolution Writer	\$2,868 - \$4,071
1	Multimedia Communications Manager	\$3,192 - \$4,523
1	Photographer	\$2,868 - \$4,071
1	Administrative Assistant	\$3,432 - \$5,556
1.5	Accounting Specialist	\$2,970 - \$4,176
1	Human Resources Specialist	\$3,432 - \$5,556
6	Administrative/Office Support	\$3,432 - \$5,556
3	Information Technologist I	\$2,548 - \$3,565
2	Information Technologist IV	\$3,696 - \$5,440
4	Information Technology Specialist I	\$4,071 - \$5,917
2	Computer Info. Technology Spec III	\$4,908 - \$6,888
1	Assistant Director - CIS	\$4,908 - \$6,888
.5	Computer Info. Technologist II	\$3,309 - \$4,710
1	Network/Communications Specialist	\$4,071 - \$5,917
2	Journal Production Clerks	\$2,548 - \$3,565
1	Mailroom Supervisor	\$2,548 - \$3,565
1	Mailroom Technician II	\$2,195 - \$3,015
1	Printing Services Technician II	\$2,195 - \$3,015
1	Printing Services Technician III	\$2,389 - \$3,309
2	Printing Services Technician IV	\$2,679 - \$3,696
1	Library Administrator	\$3,696 - \$5,440
1	Library Clerk	\$2,465 - \$3,432
1	Maintenance Supervisor II	\$2,868 - \$4,071
2	Carpenter II	\$2,679 - \$3,696
0.5	Sergeant-at-Arms (Elected)	\$2,679 - \$3,696
4.5	Assistant Doorkeeper	\$1,807 - \$2,338
0.5	Reading Clerk	\$1,713 - \$2,159
0.25	Chaplain	\$1,916 - \$2,542
0.5	Investigator	\$3,432 - \$5,007
0.5	Security Specialist	\$3,696 - \$5,440

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to establish a formula setting forth the maximum amount which may be expended by each Senator and each caucus for the employment of Administrative and Clerical Assistants. Each Senator plus the President Pro Tem and The Minority Leader on behalf of their caucus will be notified of the funds available, and shall thereafter certify to the Senate Administrator the names and addresses of Administrative and Clerical Assistants. The compensation paid to the Senators' and caucus administrative and clerical assistants shall be within the limits of the categories set forth hereinabove.

BE IT FURTHER RESOLVED that the Senate Administrator, with the approval of the Senate Administration Committee, shall have the

authority to cooperate and coordinate with the Chief Clerk of the House in the selection of employees, who shall be assigned to the garage, Joint Committee Staffs and the rotunda area, and who will be paid from the Joint House and Senate Contingent Fund, within the limits of the categories set out above.

BE IT FURTHER RESOLVED that the Senate Administrator, on behalf of the Committee on Administration, has the authority to reduce, increase, combine or consolidate positions and salaries where necessary to meet changed conditions or circumstances which arise, and the Committee on Administration may enter into contracts with consultants, provided such consultant's contract fee does not exceed the salary for the comparable position, and such consultant shall count as an employee of the Senate.

BE IT FURTHER RESOLVED that the Senate Administration Committee is authorized to adjust the foregoing pay ranges to reflect implementation of the state pay plan.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 18, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carol S. Comer, 10541 Dunes Court, Indianapolis, Marion County, Indianapolis 46239, as Director of the Department of Natural Resources, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

January 18, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Charles Andrew Juden III, 614 Laurelwood Ave., Sikeston, Scott County, Missouri 63801, as Director of the Department of Public Safety, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

REFERRALS

President Pro Tem Richard referred **SCR 8** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Onder, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 19**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 21**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 263—Professional Registration.

SB 264—Local Government and Elections.

SB 265—Transportation, Infrastructure and Public Safety.

SB 266—Professional Registration.

SB 267—Local Government and Elections.

SB 268—Seniors, Families and Children.

SB 269—Transportation, Infrastructure and Public Safety.

SB 270—Commerce, Consumer Protection, Energy and the Environment.

SB 271—Economic Development.

SB 272—Education.

SB 273—Local Government and Elections.

SB 274—Insurance and Banking.

SB 275—Insurance and Banking.

SB 276—Professional Registration.

SB 277—General Laws.

SB 278—Commerce, Consumer Protection, Energy and the Environment.

SB 279—Veterans and Military Affairs.

SB 280—Veterans and Military Affairs.

SB 281—Local Government and Elections.

SB 282—Transportation, Infrastructure and Public Safety.

SB 283—Local Government and Elections.

SB 284—Local Government and Elections.

SB 285—Ways and Means.

SB 286—Local Government and Elections.

SB 287—Transportation, Infrastructure and Public Safety.

SB 288—Local Government and Elections.

SB 289—Small Business and Industry.

SB 290—Small Business and Industry.

SB 291—Seniors, Families and Children.

SB 292—Commerce, Consumer Protection, Energy and the Environment.

SB 293—Commerce, Consumer Protection, Energy and the Environment.

SB 294—Local Government and Elections.

SB 295—Health and Pensions.

SB 296—Health and Pensions.

SB 297—Transportation, Infrastructure and Public Safety.

SB 298—Small Business and Industry.

SB 299—Judiciary and Civil and Criminal Jurisprudence.

SB 300—Insurance and Banking.

SB 301—Seniors, Families and Children.

SB 302—Transportation, Infrastructure and Public Safety.

SB 303—Insurance and Banking.

SB 304—Insurance and Banking.

SB 305—Rules, Joint Rules, Resolutions and Ethics.

SB 306—Insurance and Banking.

SB 307—Agriculture, Food Production and Outdoor Resources.

SB 308—Insurance and Banking.

SB 309—Health and Pensions.

SB 310—Economic Development.

SB 311—Transportation, Infrastructure and Public Safety.

SB 312—Health and Pensions.

SB 313—Education.

SB 314—Transportation, Infrastructure and Public Safety.

SB 315—Transportation, Infrastructure and Public Safety.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SB 31**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

On motion of Senator Kehoe, the Senate recessed until 11:00 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 91, 42, 131, 265** and **314**, entitled:

An Act to amend chapter 290, RSMo, by adding thereto one new section relating solely to labor organizations, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

Senator Walsh submitted the following:

January 18, 2017

Senator Gina Walsh

201 W. Capitol Avenue, Room 333


Jefferson City, MO 65101

Dear Senator Walsh:

Please accept my request to be removed from the Joint Committee on Child Abuse and Neglect. My term expired on 12/31/16.

Your consideration of my request is greatly appreciated.

Sincerely,



Senator S. Kiki Curls

Ninth District

Also,

January 19, 2017

Adriane Crouse –Secretary of the Senate


State Capitol, Room 325

Jefferson City, Missouri 65102

Dear Adriane:

Pursuant to the provisions of section 21.771 RSMo, I hereby appoint Senator Jake Hummel to the Joint Committee on Child Abuse and Neglect to replace Senator Kiki Curls.

Sincerely,



Gina Walsh

Minority Floor Leader

Also,

President Pro Tem Richard submitted the following:

January 18, 2017

Ms. Adriane Crouse

Secretary of the Senate

State Capitol Building, Room 325

Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 12, I hereby remove Senator Jay Wasson from the Committee on Gubernatorial Appointments.

In addition, again pursuant to Senate Rule 12, I appoint Senator Doug Libla to the Committee on Gubernatorial Appointments.

Sincerely,



Ron Richard

President Pro Tem

INTRODUCTIONS OF GUESTS

Senator Riddle introduced to the Senate, Head Coach Lance Richardson, Assistant Coaches Brent Lovell and Chuck Livingston; and team members Bridget Hart, Cam Patterson, Haley Schmutz, Rachel Burkemper, Emma Sexton, Kim DeBold, Kiersten Nixon, Kacy Bergfeld, Kirsten Watts, Anna Sullivan, Kelsey Sachs, Jacey Meyer, Kaitlynn Williams and Haleigh Hunt, Troy Buchanan High School Trojan Softball Team.

Senator Chappelle-Nadal introduced to the Senate, the Physician of the Day, Dr. Gary Gaddis, University City.

On motion of Senate Kehoe, the Senate adjourned until 4:00 p.m., Monday, January 23, 2017.

SENATE CALENDAR

TENTH DAY—MONDAY, JANUARY 23, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 316-Rowden

SB 317-Sater

SB 318-Sifton and Hummel

SB 319-Hummel

SB 320-Hummel

SB 321-Hegeman

SB 322-Wieland and Romine

SJR 1-Schaaf

SJR 2-Schaaf

SJR 3-Schaaf

SJR 4-Chappelle-Nadal

SJR 5-Emery

SJR 6-Emery

SJR 7-Silvey

SJR 8-Romine

SJR 9-Romine

SJR 10-Holsman
SJR 11-Hegeman
SJR 12-Eigel

SJR 13-Emery
SJR 14-Kraus

HOUSE BILLS ON SECOND READING

HB 60-Alferman

HCS for HBs 91, 42, 131, 265 & 314

SENATE BILLS FOR PERFECTION

SB 19-Brown
SB 21-Brown

SB 31-Emery

INFORMAL CALENDAR

RESOLUTIONS

SR 85-Kehoe

To be Referred

SCR 9-Holsman

SCR 10-Wieland

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Journal of the Senate

FIRST REGULAR SESSION

TENTH DAY—MONDAY, JANUARY 23, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let me abide in Your tent forever, find refuge under the shelter of Your wings.” (Psalm 61:4)

We are thankful for Your abiding presence and bringing us safely here to do the work You have for us to do. We are thankful for time this day to work and enjoy recreational time together that strengthens relationships and bonds of friendship and serving together. And we pray that we may know comfort in knowing You and what You require of us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 19, 2017, was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 86, regarding Drew Carey's middle-school classes at Scuola Vita Nuova, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 87, regarding Sharon Ford-Parker's sixth-grade class at Dobbs Elementary School, Kansas City, which was adopted.

Senator Kehoe offered Senate Resolution No. 88, regarding Major Gregory D. Kindle, Jefferson City, which was adopted.

Senator Wallingford offered Senate Resolution No. 89, regarding Jerry Ford, Cape Girardeau, which was adopted.

Senator Richard offered Senate Resolution No. 90, regarding Eagle Scout Quinn J. Lasley, which was adopted.

Senator Holsman offered Senate Resolution No. 91, regarding Sarah Holmes' seventh-grade class at Barstow School, Kansas City, which was adopted.

Senator Wallingford offered Senate Resolution No. 92, regarding Dick and Evelyn Belger, Kansas City, which was adopted.

Senator Wallingford offered Senate Resolution No. 93, regarding Bennett Family Dentistry, which was adopted.

Senator Wallingford offered Senate Resolution No. 94, regarding Begley, Young, Unterreiner & White, LLC, which was adopted.

Senator Wallingford offered Senate Resolution No. 95, regarding Brenda Newbern, Cape Girardeau, which was adopted.

Senator Walsh offered Senate Resolution No. 96, regarding Michael Mahaffy, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 97, regarding Claudia Pennington, O'Fallon, which was adopted.

Senator Walsh offered Senate Resolution No. 98, regarding Thomas Reinbold, O'Fallon, which was adopted.

Senator Walsh offered Senate Resolution No. 99, regarding Gary R. Gaydos, Florissant, which was adopted.

Senator Sater offered Senate Resolution No. 100, regarding the Ninetieth birthday of Vera Elizabeth Clark Rogers, which was adopted.

Senator Sater offered Senate Resolution No. 101, regarding the Sixtieth Wedding Anniversary of Jim and Bertha Bush, Nevada, which was adopted.

Senator Hoskins offered Senate Resolution No. 102, regarding West-Central Independent Living Solutions, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 103, regarding Eagle Scout Ryan James Helmig, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 104, regarding Eagle Scout Nathan Sheehan, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 105, regarding Village of Arrow Rock, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 323—By Brown.

An Act to repeal section 302.020, RSMo, and to enact in lieu thereof two new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

SB 324—By Silvey.

An Act to repeal section 306.220, RSMo, and to enact in lieu thereof one new section relating to personal flotation devices, with penalty provisions.

SB 325—By Kraus.

An Act to repeal section 144.026, RSMo, and to enact in lieu thereof one new section relating to sales and use tax exemptions.

SB 326—By Kraus.

An Act to repeal sections 347.015 and 347.020, RSMo, and to enact in lieu thereof three new sections relating to low-profit limited liability companies.

SB 327—By Romine.

An Act to repeal sections 161.670 and 167.121, RSMo, and to enact in lieu thereof two new sections relating to course access in education, with an effective date.

SB 328—By Romine.

An Act to repeal sections 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, and to enact in lieu thereof nine new sections relating to higher education.

SB 329—By Kehoe.

An Act to repeal sections 407.825 and 407.826, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle franchise practices.

SB 330—By Munzlinger.

An Act to repeal section 287.120, RSMo, and to enact in lieu thereof one new section relating to liability under workers' compensation laws.

SB 331—By Hegeman.

An Act to repeal sections 578.018 and 578.030, RSMo, and to enact in lieu thereof two new sections relating to confiscation of animals, with penalty provisions.

SB 332—By Hegeman.

An Act to repeal section 139.100, RSMo, and to enact in lieu thereof one new section relating to the timeliness of tax payments made by postal mail.

SB 333—By Schaaf.

An Act to repeal section 104.1091, RSMo, and to enact in lieu thereof one new section relating to retirement benefits for certain state employees.

SB 334—By Sater.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to influenza education.

SB 335—By Hoskins.

An Act to repeal sections 209.150 and 209.200, RSMo, and to enact in lieu thereof two new sections relating to service dogs.

REFERRALS

President Pro Tem Richard referred **SCR 9** and **SCR 10** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 269** to the Committee on Professional Registration.

The Senate observed a moment of silence in memory of Kansas City pitcher, the late Yordano Ventura.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 19** be taken up for perfection, which motion prevailed.

Senator Brown offered **SS** for **SB 19**, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 19**

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

Senator Brown moved that **SS** for **SB 19** be adopted.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 19, Page 3, Section 290.590, Line 15, by inserting after all of said line the following:

“Section B. This act is hereby submitted to the qualified voters of this state for approval or rejection at an election which is hereby ordered and which shall be held and conducted on Tuesday next following the first Monday in November, 2018, pursuant to the laws and constitutional provisions of this state for the submission of referendum measures by the general assembly, and this act shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise.”; and

Further amend the title accordingly.

Senator Holsman moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Rizzo, Hummel, Sifton and Schupp.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—12		

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson—21

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Walsh offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 19, Page 2, Section 290.590, Lines 20-25 by striking said lines.

Senator Walsh moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Brown, **SB 19**, with **SS** and **SA 2** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Kehoe moved that **SR 85** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **SR 85** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 4**, entitled:

HOUSE CONCURRENT RESOLUTION NO. 4

Relating to disapproving the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, Article XIII, Section 3 of the Missouri Constitution charges the Missouri Citizens' Commission on Compensation for Elected Officials with setting the amounts of compensation paid to statewide elected officials, legislators, and judges; and

WHEREAS, the Constitution provides the Commission with a four-month window prior to its constitutional deadline for making salary recommendations to hold public hearings around the state to gather testimony related to salaries for affected state officials and to carefully consider whether pay increases are warranted; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials has recommended that the compensation for statewide elected officials be increased by eight percent over fiscal years 2018 and 2019, representing a total additional cost to the state of Missouri for the recommended salary adjustments of \$54,884 in 2018 to \$57,023 in 2019; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials has also recommended that the compensation for members of the General Assembly be increased by two and one-half percent for the next two years, representing a total additional cost to the state of Missouri for the recommended salary adjustments of \$176,881 in 2018 to \$181,303 in 2019; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials recommended that daily expense compensation for members of the General Assembly be \$150 per day of service; and

WHEREAS, the Missouri Citizens' Commission on Compensation for Elected Officials recommended the salary for judges to continue to be calculated under the formula currently in place over fiscal years 2018 and 2019; and

WHEREAS, the state has many other priorities for appropriating money in the budget that are far more important than the salary increases recommended by the commission; and

WHEREAS, the Commission's recommendations shall take effect unless disapproved by the General Assembly through a concurrent resolution process passed by two-thirds majorities in each legislative chamber before February 1, 2017:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby disapprove the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials contained in its report of December 2016; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker has appointed the following committee to act with a like committee from the Senate pursuant to **HCR 2**. Representatives: McGaugh, Cornejo, Pike, Corlew, Schroer, Ellebracht, Roberts, Unsicker, Walker (74), and Meredith.

INTRODUCTIONS OF GUESTS

Senator Wallingford introduced to the Senate, Ethan G. Scherer, Columbia.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

ELEVENTH DAY—TUESDAY, JANUARY 24, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 316-Rowden	SB 333-Schaaf
SB 317-Sater	SB 334-Sater
SB 318-Sifton and Hummel	SB 335-Hoskins
SB 319-Hummel	SJR 1-Schaaf
SB 320-Hummel	SJR 2-Schaaf
SB 321-Hegeman	SJR 3-Schaaf
SB 322-Wieland and Romine	SJR 4-Chappelle-Nadal
SB 323-Brown	SJR 5-Emery
SB 324-Silvey	SJR 6-Emery
SB 325-Kraus	SJR 7-Silvey
SB 326-Kraus	SJR 8-Romine
SB 327-Romine	SJR 9-Romine
SB 328-Romine	SJR 10-Holsman
SB 329-Kehoe	SJR 11-Hegeman
SB 330-Munzlinger	SJR 12-Eigel
SB 331-Hegeman	SJR 13-Emery
SB 332-Hegeman	SJR 14-Kraus

HOUSE BILLS ON SECOND READING

HB 60-Alferman

HCS for HBs 91, 42, 131, 265 & 314

SENATE BILLS FOR PERFECTION

SB 21-Brown

SB 31-Emery

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 19-Brown, with SS & SA 2 (pending)

RESOLUTIONS

To be Referred

HCR 4-Bernskoetter

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Journal of the Senate

FIRST REGULAR SESSION

ELEVENTH DAY—TUESDAY, JANUARY 24, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Senator Emery offered the following prayer:

“I will give them a heart to understand that I am Yahweh, and they shall be My people and I will be their God when they return to Me with all their heart.” (Jeremiah 24:7)

Holy Father, we find in our lives our need of You and know that if we truly seek You, You will be our God. We know and trust that You will guide us by prompting our hearts to be about that which You desire of us. And we seek to know You so we may know ourselves which leads us to the path of righteousness in our thoughts and actions. So may Your spirit dwell with in us so we may apply our lives entirely to love and service You require. In Your holy name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 106, regarding Celia J. Lipskoch, California, which was adopted.

Senator Wasson offered Senate Resolution No. 107, regarding the City of Fremont Hills, which was adopted.

Senator Wasson offered Senate Resolution No. 108, regarding Eagle Scout Derek Fitzpatrick, Highlandville, which was adopted.

Senator Wasson offered Senate Resolution No. 109, regarding Eagle Scout Seth Dale, Nixa, which was adopted.

Senator Wasson offered Senate Resolution No. 110, regarding Eagle Scout Jason Bray, Nixa, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 336—By Wieland.

An Act to amend chapter 374, RSMo, by adding thereto one new section relating to market conduct of insurance companies.

SB 337—By Wieland.

An Act to amend chapter 379, RSMo, by adding thereto one new section relating to depreciation of damaged property.

SB 338—By Schupp, Walsh, Hummel, Holsman, Rizzo, Chappelle-Nadal, Nasheed and Curls.

An Act to repeal sections 213.010, 213.030, 213.040, 213.045, 213.050, 213.055, 213.065, 213.070, and 213.101, RSMo, and to enact in lieu thereof nine new sections relating to discrimination based on sexual orientation or gender identity.

SB 339—By Schupp.

An Act to repeal section 130.011 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session and section 130.011 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to campaign finance, with an effective date and penalty provisions.

SB 340—By Schupp.

An Act to amend chapter 195, RSMo, by adding thereto seven new sections relating to the monitoring of certain prescribed controlled substances, with penalty provisions.

SB 341—By Nasheed.

An Act to repeal sections 567.020, 567.030, and 589.400, RSMo, and to enact in lieu thereof three new sections relating to minor children suspected of prostitution, with penalty provisions.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCR 4—Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that Representative Merideth (80), is on the escort committee pursuant to **HCR 2** and not Representative Meredith (71).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that Representative Mitten is replacing Representative Walker (74) on the escort committee pursuant to **HCR 2**.

Senator Kehoe moved that the Senate recess to repair to the House of Representatives to receive the State of the Judiciary Address from the Chief Justice of the Supreme Court, the Honorable Patricia Breckenridge, which motion prevailed.

JOINT SESSION

The Joint Session was called to order by President Parson.

On roll call the following Senators were present:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On roll call the following Representatives were present:

PRESENT: 160

Adams	Alferman	Anders	Anderson	Andrews	Arthur	Austin
Bahr	Bangert	Baringer	Barnes 28	Barnes 60	Basye	Beard
Beck	Bernskoetter	Berry	Black	Bondon	Brattin	Brown 27
Brown 57	Brown 94	Burnett	Burns	Butler	Carpenter	Chipman
Christofanelli	Cierpiot	Conway 10	Conway 104	Cookson	Corlew	Cornejo
Crawford	Cross	Curtman	Davis	DeGroot	Dogan	Dohrman
Dunn	Eggleston	Ellebracht	Ellington	Engler	Evans	Fitzpatrick
Fitzwater 144	Fitzwater 49	Fraker	Francis	Franklin	Franks Jr	Frederick
Gannon	Gray	Gregory	Grier	Haahr	Haefner	Hannegan
Hansen	Harris	Helms	Henderson	Higdon	Hill	Houghton
Houx	Hubrecht	Hurst	Johnson	Justus	Kelley 127	Kelly 141
Kendrick	Kidd	Kolkmeyer	Korman	Lant	Lauer	Lavender
Lichtenegger	Love	Lynch	Marshall	Mathews	Matthiesen	May
McCaherty	McCann Beatty	McCreery	McDaniel	McGaugh	McGee	Meredith 71
Merideth 80	Messenger	Miller	Mitten	Moon	Morgan	Morris

Mosley	Muntzel	Neely	Newman	Nichols	Peters	Pfautsch
Phillips	Pierson Jr	Pietzman	Pike	Plocher	Pogue	Quade
Razer	Redmon	Rehder	Reiboldt	Reisch	Remole	Rhoads
Roberts	Roden	Roeber	Rone	Ross	Rowland 155	Rowland 29
Runions	Ruth	Schroer	Shaul 113	Shull 16	Shumake	Smith 85
Smith 163	Sommer	Spencer	Stacy	Stephens 128	Stevens 46	Swan
Tate	Taylor	Trent	Unsicker	Vescovo	Walker 3	Walker 74
Wessels	White	Wiemann	Wilson	Wood	Mr. Speaker	

ABSENT: 2

Curtis Green

VACANCIES: 1

The Joint Committee appointed to wait upon the Chief Justice of the Supreme Court, Patricia Breckenridge, escorted the Chief Justice to the dais where she delivered the State of the Judiciary Address to the Joint Assembly:

2017 State of the Judiciary Address

Lieutenant Governor Parson, Speaker Richardson and members of the House, President Pro Tem Richard and members of the Senate, Governor Greitens and other statewide officers. I am proud to be here today as the voice of the judicial branch.

I am so grateful to have served in the judiciary since my appointment to the trial bench by Governor Kit Bond, to the court of appeals by Governor John Ashcroft, and to the Supreme Court by Governor Matt Blunt. It has been my privilege to serve with judges appointed by both Republican and Democratic governors and to work to decide cases according to the law.

Before I begin, I would like to introduce my husband, Bryan. For 40 years, he has loved and supported me and kept me grounded. Thank you for being here with me this morning.

Earlier this month, I swore in Governor Greitens and other statewide officials. Not all chief justices get to participate in this democratic transition of power, and it was such an honor. For me, it served as a reminder of how alike we are. We share a commitment to work separately *and together* to make the great state of Missouri *even greater*. Some, however, focused on how we are different. One tweet questioned the legitimacy of the oaths because of those differences. Apparently, I – correctly – said “MissourAH,” while *you* said, “MissourEE.”

Our different pronunciations reflect the rich diversity of our state – we come from cities, towns and rural areas to work in Jefferson City. You represent literally every nook and cranny of Missouri. We on the Supreme Court are also geographically diverse. I am from Nevada, in the southwest corner of the state. Judge Zel Fischer grew up in Watson, as far north and west as you can get and still be in Missouri (rumor has it, you can see Nebraska from there). Judge Paul Wilson is from right here in Jefferson City. Judge George Draper is from St. Louis, and while Judge Laura Stith grew up in St. Louis, she has lived in Kansas City for more than 35 years. And Judge Mary Russell is from Hannibal.

This is my fourth and, I am relieved to say, last big speech to deliver as chief justice. But I welcome the chance to talk about my favorite subject – the courts, often called the “least understood” branch of government.

Our 3,400 employees serve in your courts and, every year, are asked to do more with less. I encourage you to visit a local courthouse and meet these dedicated professionals who embrace their responsibility to treat every person fairly and equitably and to resolve disputes according to the law.

Our state employees are the lowest paid in the nation. Despite this, they are hardworking, dedicated, and deserving of our respect. I know budget times are tight, but we must find a way to pay them 21st century wages for 21st century work. Please join me in recognizing our state employees who serve in *all* branches of our government.

In the last fiscal year, more than 1.8 million cases were filed in Missouri courts – of these, 60 percent involved municipal ordinance violations. In our circuit courts, the largest number of cases involve the prosecution of state crimes. Seventeen percent of our cases are civil – primarily small claims, domestic relations, landlord tenant matters and disputes of less than \$25,000. About 5 percent of *civil* cases – and fewer than 1 percent of *all* cases – involve tort claims like wrongful death or personal injury.

I understand Governor Greitens and some of you in the General Assembly have called for changes in the law governing certain types of cases.

Do *not* view these calls for action as a condemnation of our judicial system.

Our citizens can be proud of our courts, where they go to resolve their disputes peaceably and where their constitutional rights are protected. Day in and day out, in the courtrooms in your communities, hundreds of thousands of cases are adjudicated without fanfare. We, more than anyone, want our courts to live up to their responsibilities to properly administer justice.

So when serious problems in some St. Louis County municipal divisions came to light, we owned those problems. Though the vast majority of our 625 municipal divisions function well, the challenge of problem municipal divisions in St. Louis County and elsewhere in the state became an opportunity to make *all* of our municipal divisions better.

From within the judicial system, judges, prosecutors, defense attorneys, and clerks rolled up their sleeves and crafted solutions that would work. We are grateful for this leadership. Their yeoman's work turned recommendations for reforms into tangible change. Changes came when our Court imposed mandatory standards – effective upon their adoption in September – detailing how municipal divisions must operate under the law. The *standards are extensive*. We also put in place a code of conduct for all municipal division personnel and defined what constitutes a conflict of interest for judges who choose to wear multiple hats.

While some say the standards don't go far enough, others say they have gone too far. Some municipalities are finding it difficult to do what they *should* have been doing all along. But my years on the trial bench taught me if both sides are not totally satisfied, perhaps we got it right.

We and the state court administrator's office have also worked with a number of municipalities to consolidate their court operations, including 13 in St. Louis County. Consolidation results in reduced costs, which we hope will disincentivize municipalities from using courts as revenue generators. Many have worked hard to accomplish consolidation, particularly in St. Ann and Normandy. Unfortunately, the cost savings may not be fully realized for some, due to a law that caps the number of municipalities a judge may serve.

Additionally, Missouri's constitution places responsibility on the presiding judge of each circuit to supervise the municipal divisions. So, last month, the Supreme Court adopted protocols to guide presiding judges and make their authority clear. We recognize supervision poses a special challenge in St. Louis County and, in an effort to assist, the Supreme Court is providing municipal division monitors.

Municipal divisions are not alone in the spotlight. Others leveled criticisms at our juvenile divisions, including their very structure. Missouri has never been afraid to lead, and this state decided long ago our juvenile system should be different from other states. Our juvenile proceedings are designed to be non-adversarial, and all parties are required to act in the best interest of the child.

Nonetheless, we thoughtfully considered the criticisms and responded by enacting reforms that make *all* of our juvenile divisions better. In doing so, the judiciary worked with leaders from around the state to develop standards for juvenile officers. These standards, adopted in December, create uniform practices and procedures; establish a code of conduct; and outline best practices that promote better outcomes for Missouri's children.

Our next goal is to improve pretrial incarceration practices. Incarcerating persons simply because they are too poor to post bond needs to be examined in both municipal and criminal cases. Under our Missouri Constitution, an individual may be incarcerated before trial only when charged with a capital offense; when a danger to a crime victim, a witness, or the community; or a flight risk. All other persons are entitled to reasonable conditions of release prior to trial, based on the particular circumstances of their cases.

Our cities and counties incur costs for pretrial incarcerations of people who simply are poor. There are individual and societal consequences from these unwarranted pretrial incarcerations. The consequences impact the defendants, their families and, ultimately, the state. Defendants lose not only their freedom but also their ability to earn a living and to provide for loved ones. Children may even come into state custody, because incarcerated parents are not home to care for them. And – after only *three days* in jail – the likelihood that an individual will commit future crimes also increases.

A Supreme Court task force will examine how other states and cities have addressed the problem of unwarranted pretrial incarceration and recommend changes to our practices. We look forward to sharing what we learn with you and working together to enact common-sense reforms.

We also will be sharing with you the work of the Supreme Court's committee on treatment courts. The committee is completing a strategic plan that can be a roadmap to improving both the quality of and access to treatment courts in Missouri. Our branches of government have long worked together because treatment courts are a proven, cost-effective way to change the lives of persons charged with crimes due to addiction or mental health disorders. Missouri is a national leader in developing quality treatment courts; however, we have not realized their full potential to reduce recidivism, produce productive citizens, reunify families, and address the needs of our veterans. Your continued support will be essential if we ever are to realize the full potential of treatment courts.

Technology also remains a top priority as we strive to make courts as accessible as possible to our citizens. As Governor Greitens noted last week, we need a modern government that allows people to do more online instead of making them wait in line. We share that goal.

We are thankful for the expertise of our 21st century workforce, which has been invaluable in improving and modernizing our computer

systems. Our judges and staff are collaborating in the development of software that puts more information at a judge's fingertips and will allow potential jurors to get information about their service from their smartphones. We are also developing a traffic and ordinance case management system to increase the efficiency of municipal divisions in managing and disposing of cases, assessing authorized costs, and processing payments. The system will ultimately reduce the number of litigants who must come to court because they will have increased access to the courts from their mobile devices.

We are grateful the legislature recognized the need to automate our courts back in 1994 and has partnered with and supported us in accomplishing that goal. The work has been overseen by the Missouri Court Automation Committee, on which Senators Bob Dixon and Scott Sifton – along with Representatives Robert Cornejo and Joe Don McGaugh – work with the judicial and the executive branches.

In 2016, Missouri completed its statewide electronic filing system. We are *the first* state to have e-filing in all courts of record. We also finished implementing “Pay by Web,” which allows Missourians to pay fees and costs online. And “Track this Case” lets the public receive e-mail notices of activity in pending cases. Who here doesn't know about Case.net, which provides information about more than 20 million cases statewide and receives an average of 5 million hits every workday.

While Case.net lets you know that documents have been filed in court, you cannot access those documents without going to a courthouse and using a public computer terminal. The Missouri Court Automation Committee has recommended the judiciary allow remote access, but expansion of public access to case records can be done *only* if the security and reliability of the courts' essential operations can be guaranteed. And such expansion of the system will require more resources than currently available. To defray the expenses of expansion and maintenance, the courts and legislature may need to consider means such as subscription fees or pay-per-view charges like those assessed by federal courts.

Equally of concern is the question of exactly what should be available online. Missouri statutes govern which case documents are public. But many of these statutes were enacted before – sometimes *long* before – the modern computer age. So it is safe to say statutes making certain case documents “public” meant available at the clerk's office, and in paper form, not available instantly to anyone anywhere in the world.

Certainly, a strong presumption of openness is a bedrock of our legal system. But – given the unique concerns arising from online access – the Court wants to *be sure* the legislature has the opportunity to reexamine statutes governing public case documents to determine if they are the will of *this* body and the people *you* represent. We are willing to advise and assist in any way we can.

As we move forward with innovations and improvements, we do so with two significant changes in leadership.

In late November, our colleague Judge Richard Teitelman passed away. Simply known as Judge Rick to many, he was the first person of Jewish faith and the first legally blind person to serve as a judge of our state's high court. He believed in the goodness of humanity and was a steadfast champion of equal justice. While we may not have always agreed in our legal opinions, we knew no friend more loyal or caring, and *we miss him*.

And so the process to fill his vacancy has begun. As provided by our state constitution, any licensed Missouri attorney who meets the age and residency requirements may apply until February 3rd. If you know of qualified individuals you believe would be an asset to our Court, please nominate and encourage them to apply. Interviews will be held at the end of February at the Supreme Court and are open to the public. The Appellate Judicial Commission will select three well-qualified nominees for the governor's consideration. The constitution gives Governor Greitens 60 days to conduct his own review and select the new judge. We look forward to this appointment.

We also begin the year with a new leader at the Supreme Court. Bill Thompson, who expertly guided us as counsel and clerk for more than 38 years, retired in December. He was succeeded by the first woman ever to hold the position of clerk – Betsy AuBuchon. Many of you may know Betsy from her days in the capitol. She has earned our respect and trust, and we are confident she will be an exceptional leader for Missouri's judicial system. We know these two additions to the judiciary will help us continue to make our courts better for Missouri's citizens.

Speaker Richardson, you commented in your address on the first day of the session that we must ensure our court system is fair to *all* litigants. We agree ... and are so very grateful our courts are staffed by dedicated and talented people who share that belief and properly handle cases of *all* types. Missouri has a judicial system of which we can be proud. We constantly strive to better serve our citizens and, as we look to the future, I have no doubt we will continue to do so.

Thank you for your support of the judicial branch. I wish you all the best in your service to the people of Missouri.

On motion of Senator Kehoe, the Joint Session was dissolved and the Senators returned to the Chamber where they were called to order by President Parson.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

Senator Kehoe announced photographers from the Missouri Times were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 19**, with **SS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Brown, **SS** for **SB 19** was withdrawn, rendering **SA 2** moot.

Senator Brown offered **SS No. 2** for **SB 19**, entitled:

**SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 19**

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

Senator Brown moved that **SS No. 2** for **SB 19** be adopted.

Senator Walsh offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 2, Section 290.590, Lines 20-25, by striking said lines.

Senator Walsh moved that the above amendment be adopted.

Senator Hummel requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Rizzo, Nasheed, Sifton and Walsh.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—12		

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson—21

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Munzlinger assumed the Chair.

President Parson assumed the Chair.

Senator Schupp offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 2, Section 290.590, Line 28, by striking “or the attorney general of this”

And further amend same section, Page 3, Line 1 by striking “state”.

Senator Schupp moved that the above amendment be adopted.

Senator Richard requested a roll call vote be taken on the adoption of **SA 2**. He was joined in his request by Senators Munzlinger, Onder, Riddle and Schaaf.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Romine
Schupp	Sifton	Silvey	Walsh—11			

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson
Wieland—22						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

At the request of Senator Brown, **SB 19**, with **SS No. 2** (pending), was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 6:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 19**, with **SS No. 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS No. 2 for **SB 19** was again taken up.

Senator Walsh offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 2, Section 290.590, Lines 14-15 of said

page, by striking the following: “a class C misdemeanor” and inserting in lieu thereof the following: “**an infraction**”.

Senator Walsh moved that the above amendment be adopted.

Senator Onder assumed the Chair.

Senator Walsh requested a roll call vote be taken on the adoption of **SA 3**. She was joined in her request by Senators Hummel, Rizzo, Schupp and Sifton.

SA 3 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—12		

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schatz	Wallingford	Wasson—20	

Absent—Senators—None

Absent with leave—Senator Schaaf—1

Vacancies—1

At the request of Senator Brown, **SB 19**, with **SS No. 2** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Curls introduced to the Senate, Superintendent Dr. Mark Bedell and Pattie Mansur, Kansas City Public Schools.

On behalf of Senator Cunningham and himself, Senator Romine introduced to the Senate, Debbie Tarvid, Donald Black, Lance Mayfield, John Mark Brewer, Heather Rhea, Karen White and Tammy Lindsay, Missouri Highlands Health Care.

Senator Libla introduced to the Senate, Dr. Wes Payne, Dr. Marybeth Payne, Dr. Justin Hoggard and Teresa Johnson, Three Rivers College.

Senator Libla introduced to the Senate, Ann Mathews, Todd Allen and thirteen students from Three Rivers College.

Senator Dixon introduced to the Senate, Tom Barr, Springfield.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, January 25, 2017.

SENATE CALENDAR

TWELFTH DAY--WEDNESDAY, JANUARY 25, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 316-Rowden	SB 336-Wieland
SB 317-Sater	SB 337-Wieland
SB 318-Sifton and Hummel	SB 338-Schupp, et al
SB 319-Hummel	SB 339-Schupp
SB 320-Hummel	SB 340-Schupp
SB 321-Hegeman	SB 341-Nasheed
SB 322-Wieland and Romine	SJR 1-Schaaf
SB 323-Brown	SJR 2-Schaaf
SB 324-Silvey	SJR 3-Schaaf
SB 325-Kraus	SJR 4-Chappelle-Nadal
SB 326-Kraus	SJR 5-Emery
SB 327-Romine	SJR 6-Emery
SB 328-Romine	SJR 7-Silvey
SB 329-Kehoe	SJR 8-Romine
SB 330-Munzlinger	SJR 9-Romine
SB 331-Hegeman	SJR 10-Holsman
SB 332-Hegeman	SJR 11-Hegeman
SB 333-Schaaf	SJR 12-Eigel
SB 334-Sater	SJR 13-Emery
SB 335-Hoskins	SJR 14-Kraus

HOUSE BILLS ON SECOND READING

HB 60-Alferman	HCS for HBs 91, 42, 131, 265 & 314
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SENATE BILLS FOR PERFECTION

SB 21-Brown	SB 31-Emery
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INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 19-Brown, with SS#2 (pending)

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Journal of the Senate

FIRST REGULAR SESSION

TWELFTH DAY—WEDNESDAY, JANUARY 25, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“And those who know Your name will put their trust in You: for You, O Lord, have not forsaken those that seek You.” (Psalm 9:10)

Dear Lord, each day we hear the news that is full of trouble, with so much pain and sorrow and calls to our office seeking help for their difficulties, that it seems that is all there is. So we turn to You and know that You are near on our darkest days and there we find comfort in knowing You are present in our lives. Your presence gives us light and direction to lighten our mood and energize our efforts so we give You thanks and praise for Your being in our lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senators Holsman and Silvey, joined by the entire membership, offered Senate Resolution No. 111, regarding Yordano Ventura of the Kansas City Royals, which was adopted.

Senator Kehoe offered Senate Resolution No. 112, regarding Jamie Binns, which was adopted.

Senator Kehoe offered Senate Resolution No. 113, regarding Rakeeb Akande, which was adopted.

Senator Kehoe offered Senate Resolution No. 114, regarding Patrick Minor, which was adopted.

Senator Kehoe offered Senate Resolution No. 115, regarding Jeffron Smalls, which was adopted.

Senator Kehoe offered Senate Resolution No. 116, regarding Kendall Gilbert, which was adopted.

Senator Kehoe offered Senate Resolution No. 117, regarding Gabriel Russell, which was adopted.

Senator Kehoe offered Senate Resolution No. 118, regarding Tevin Smith, which was adopted.

Senator Kehoe offered Senate Resolution No. 119, regarding Anthony Williams, which was adopted.

Senator Hegeman offered Senate Resolution No. 120, regarding the Fiftieth Wedding Anniversary of Dan and Georgia O'Connor, which was adopted.

Senator Sater offered Senate Resolution No. 121, regarding Beverly McCaulla, which was adopted.

Senator Wallingford offered Senate Resolution No. 122, regarding Charles L. Drury, Cape Girardeau, which was adopted.

Senator Hegeman offered Senate Resolution No. 123, regarding the Fortieth Wedding Anniversary of Kelly and Kathy Meyers, Oregon, which was adopted.

Senator Hegeman offered Senate Resolution No. 124, regarding the Fiftieth Wedding Anniversary of Duane and Mary Lou Smith, Unionville, which was adopted.

Senator Hegeman offered Senate Resolution No. 125, regarding the Fortieth Wedding Anniversary of Bruce and Leisa Biermann, Mound City, which was adopted.

Senator Cunningham offered Senate Resolution No. 126, regarding Delores Smith "Dee" Jones, Gainesville, which was adopted.

Senator Rowden offered Senate Resolution No. 127, regarding Greta McNamee, Columbia, which was adopted.

Senator Rowden offered Senate Resolution No. 128, regarding Amanda Kurukulasuriya, Columbia, which was adopted.

Senator Brown offered Senate Resolution No. 129, regarding Pastor Susan Marshall, Waynesville, which was adopted.

CONCURRENT RESOLUTIONS

Senator Wieland offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 11

Whereas, steamboats are deeply entwined in Missouri's history and culture; and

Whereas, the Delta Queen steamboat operated for many years and in many areas across the country as top of the line luxury travel, and was previously allowed to provide overnight cruises; and

Whereas, the Delta Queen steamboat has carried three different United States Presidents, and transported delegates of 51 other nations during the founding conference of the United Nations; and

Whereas, the Delta Queen is widely considered the last steamboat of its kind with overnight guest rooms; and

Whereas, the Delta Queen was once home to Mary Greene, who was one of the first women to become a licensed river pilot; and

Whereas, the Delta Queen is expected to visit over 80 different ports in the United States when it resumes operation; and

Whereas, the Delta Queen has established a home port, restaurant, and headquarters in Kimmswick, Missouri; and

Whereas, the Delta Queen Steamboat Co. has created over 170 local jobs and is expected to bring in more than \$36.4 million to the region annually; and

Whereas, resuming overnight cruises would bring even more economic benefits to the region, and create further economic growth and opportunity; and

Whereas, the Delta Queen has been designated as a “National Treasure” by the National Trust for Historic Preservation, listed on the National Register of Historic Places, and declared a National Historic Landmark; and

Whereas, the Delta Queen was named to the National Trust for Historic Preservation's “11 most endangered list” for 2016; and

Whereas, United States Senate Bill S. 89 exempts old vessels that only operate within the inland waterways from federal fire-retardant materials requirements if the owners of the vessel make annual structural alterations to at least ten percent of the areas of the vessel that are not constructed of fire-retardant materials:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge that the United States Congress enact United States Senate Bill S. 89; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri's Congressional delegation.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 342—By Holsman.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to an earned income tax credit.

SB 343—By Libla.

An Act to repeal section 453.070, RSMo, and to enact in lieu thereof one new section relating to foster parent adoptions.

SB 344—By Nasheed.

An Act to amend chapter 610, RSMo, by adding thereto one new section relating to expungement of criminal records involving the offense of prostitution.

SB 345—By Nasheed.

An Act to amend chapters 488 and 590, RSMo, by adding thereto three new sections relating to video recorders used by law enforcement agencies.

SB 346—By Schaaf.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to appropriations for tax credits.

SB 347—By Kraus.

An Act to amend chapter 537, RSMo, by adding thereto five new sections relating to actions for damages due to exposure to asbestos.

SB 348—By Wasson.

An Act to repeal sections 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof seven new sections relating to fees credited to the technology trust fund.

SB 349—By Wasson.

An Act to repeal sections 620.2005, 620.2010, 620.2015, and 620.2020, RSMo, and to enact in lieu thereof four new sections relating to financial incentives for job creation.

SB 350—By Walsh.

An Act to repeal sections 290.400, 290.410, 290.440, and 290.450, RSMo, and to enact in lieu thereof three new sections relating to employment practices relating to gender.

SB 351—By Sifton.

An Act to repeal sections 556.061 and 579.020, RSMo, and to enact in lieu thereof two new sections relating to penalties for the offense of delivery of controlled substances containing heroin, with penalty provisions.

SB 352—By Sifton.

An Act to repeal sections 516.371, 537.046, 556.036, and 556.037, RSMo, and to enact in lieu thereof four new sections relating to statutes of limitations for certain offenses against a child, with existing penalty provisions.

SB 353—By Wallingford.

An Act to repeal sections 332.011 and 332.321, RSMo, and to enact in lieu thereof two new sections relating to grounds for disciplinary actions against dentists.

SB 354—By Rowden.

An Act to repeal sections 67.5092, 67.5102, and 67.5104, RSMo, and to enact in lieu thereof four new sections relating to wireless communications infrastructure.

SB 355—By Romine.

An Act to repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to road signs for educational institutions.

SB 356—By Romine.

An Act to repeal section 456.4-420, RSMo, and to enact in lieu thereof one new section relating to no-contest clauses in trust instruments.

SB 357—By Wieland.

An Act to repeal section 137.073, RSMo, and to enact in lieu thereof one new section relating to adjustments to tax rate levies of political subdivisions.

SB 358—By Wieland.

An Act to repeal section 70.427, RSMo, and to enact in lieu thereof one new section relating to collective bargaining within the bi-state development agency.

SB 359—By Hoskins.

An Act to repeal section 311.070, RSMo, and to enact in lieu thereof one new section relating to the promotion and sale of alcoholic beverages, with existing penalty provisions.

SB 360—By Hoskins and Emery.

An Act to repeal section 162.1250, RSMo, and to enact in lieu thereof one new section relating to virtual public schools.

SB 361—By Hummel.

An Act to repeal section 302.183, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2015, with an emergency clause.

SB 362—By Hummel.

An Act to repeal section 167.225, RSMo, and to enact in lieu thereof one new section relating to school instruction in Braille.

SB 363—By Chappelle-Nadal.

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

SJR 15—By Rizzo.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3(a) of article IX of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the full funding of public elementary and secondary education.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 4**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 19**, with **SS No. 2** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Sifton offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 3, Section 290.590, Lines 15-16 of said page, by striking the following: “renewal, extension, amendment, or modification in any respect” and inserting in lieu thereof the following: “**renewal or extension**”.

Senator Sifton moved that the above amendment be adopted.

Senator Hegeman assumed the Chair.

Senator Sifton requested a roll call vote be taken on the adoption of **SA 4**. He was joined in his request by Senators Holsman, Libla, Schupp and Walsh.

SA 4 failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp	Sifton
Silvey	Walsh	Wieland—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson—20	

Absent—Senators

Chappelle-Nadal	Kehoe	Romine—3
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Absent with leave—Senators—None

Vacancies—1

Senator Walsh offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 2, Section 290.590, Lines 14-15, by striking the following: “a class C misdemeanor” and inserting in lieu thereof the following: “**an infraction for a first offense, a class D misdemeanor for a second offense, and a class C misdemeanor for a third or subsequent offense**”.

Senator Walsh moved that the above amendment be adopted.

Senator Schaaf requested a roll call vote be taken on the adoption of **SA 5**. He was joined in his request by Senators Brown, Curls, Schupp and Walsh.

SA 5 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Walsh—9					

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schaaf	Schatz	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Silvey offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Bill No. 19, Page 3, Section 290.590, Line 17, by inserting after all of said line the following:

“Section 1. For any labor organization that is not the exclusive representative of a bargaining unit, any employer shall recognize such labor organization as a representative of the members of the bargaining unit who have chosen the labor organization as their representative for purposes of bargaining over issues concerning wages, rates of pay, hours of work, other conditions of employment, or other forms of compensation.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

Senator Brown requested a roll call vote be taken on the adoption of **SA 6**. He was joined in his request by Senators Holsman, Kehoe, Munzlinger and Sifton.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Silvey	Walsh	Wieland—11			

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schaaf	Schatz	Wallingford
Wasson—22						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

President Parson assumed the Chair.

Senator Brown requested a roll call vote be taken on the adoption of **SS No. 2** for **SB 19**. He was joined in his request by Senators Kehoe, Onder, Sater and Schatz.

SS No. 2 for **SB 19** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson—21

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—12		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Brown requested a roll call vote be taken on the perfection of **SS No. 2** for **SB 19**. He was joined in his request by Senators Eigel, Kehoe, Onder and Sater.

SS No. 2 for **SB 19** was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson—21

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—12		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Kehoe, the Senate recessed until 5:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SB 19**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

January 24, 2017

Senator Ron Richard – President Pro Tem
State Capitol, Room 326
Jefferson City, Missouri 65102

Dear Senator Richard:

Pursuant to Senate Rule 12 and in my capacity as Minority Floor Leader, I hereby make the following changes to appointments to Senate Standing Committees:

Senator Jill Schupp is removed from the Appropriations Committee. I hereby appoint Senator Jason Holsman to replace her on that committee.

Senator Jason Holsman is removed from the Commerce, Consumer Protection, Energy and the Environment Committee. Senator Holsman is also removed from the Economic Development Committee. I will replace Senator Holsman on the Commerce, Consumer Protection, Energy and the Environment Committee. Senator Scott Sifton will replace Senator Holsman on the Economic Development Committee.

Finally, I am removing myself from the Professional Registration Committee. Senator Jill Schupp will be replacing me on that committee.

Sincerely,



Gina Walsh
Minority Floor Leader

Also,

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 12, and with the request of Senator Gina Walsh the Minority Floor Leader, I hereby make the following changes to appointments of the Minority Caucus members to the Senate Standing Committees:

Senator Jill Schupp is removed from the Appropriations Committee. I hereby appoint Senator Jason Holsman to replace her on that committee.

Senator Jason Holsman is removed from Commerce, Consumer Protection, Energy and the Environment Committee. Senator Holsman is also removed from the Economic Development Committee. Senator Walsh will replace Senator Holsman on the Commerce, Consumer Protection, Energy and the Environment Committee. Senator Jill Schupp will replace Senator Holsman on the Economic Development Committee.

Finally, I remove Senator Gina Walsh from the Professional Registration Committee. Senator Jill Schupp will be replacing Senator Walsh on that Committee.

Sincerely,



Ron Richard
President Pro Tem

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 130, regarding Barbara Berner, Saint Louis, which was adopted.

INTRODUCTIONS OF GUESTS

Senator Silvey introduced to the Senate, representatives of Youth with Vision, Clay, Platte and Ray Counties.

On behalf of Senator Wasson and himself, Senator Kraus introduced to the Senate, Brad Cooper, Willard.

Senator Walsh introduced to the Senate, Jerry Donovan, Bellefontaine Neighbors.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTEENTH DAY—THURSDAY, JANUARY 26, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 316-Rowden	SB 343-Libla
SB 317-Sater	SB 344-Nasheed
SB 318-Sifton and Hummel	SB 345-Nasheed
SB 319-Hummel	SB 346-Schaaf
SB 320-Hummel	SB 347-Kraus
SB 321-Hegeman	SB 348-Wasson
SB 322-Wieland and Romine	SB 349-Wasson
SB 323-Brown	SB 350-Walsh
SB 324-Silvey	SB 351-Sifton
SB 325-Kraus	SB 352-Sifton
SB 326-Kraus	SB 353-Wallingford
SB 327-Romine	SB 354-Rowden
SB 328-Romine	SB 355-Romine
SB 329-Kehoe	SB 356-Romine
SB 330-Munzlinger	SB 357-Wieland
SB 331-Hegeman	SB 358-Wieland
SB 332-Hegeman	SB 359-Hoskins
SB 333-Schaaf	SB 360-Hoskins and Emery
SB 334-Sater	SB 361-Hummel
SB 335-Hoskins	SB 362-Hummel
SB 336-Wieland	SB 363-Chappelle-Nadal
SB 337-Wieland	SJR 1-Schaaf
SB 338-Schupp, et al	SJR 2-Schaaf
SB 339-Schupp	SJR 3-Schaaf
SB 340-Schupp	SJR 4-Chappelle-Nadal
SB 341-Nasheed	SJR 5-Emery
SB 342-Holsman	SJR 6-Emery

SJR 7-Silvey
SJR 8-Romine
SJR 9-Romine
SJR 10-Holsman
SJR 11-Hegeman

SJR 12-Eigel
SJR 13-Emery
SJR 14-Kraus
SJR 15-Rizzo

HOUSE BILLS ON SECOND READING

HB 60-Alferman

HCS for HBs 91, 42, 131, 265 & 314

THIRD READING OF SENATE BILLS

SS#2 for SB 19-Brown

SENATE BILLS FOR PERFECTION

SB 21-Brown

SB 31-Emery

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

HCR 4-Bernskoetter (Kehoe)

To be Referred

SCR 11-Wieland

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Journal of the Senate

FIRST REGULAR SESSION

THIRTEENTH DAY—THURSDAY, JANUARY 26, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will give thanks to the Lord with my whole heart;..” (Psalm 9:1)

We pray, O Lord, that You will watch over our travel home this day. We pray that You will look kindly on our families and bless them so that they may be filled with love and happiness as they fulfill the responsibilities You have given to them. And may we stay connected with You Lord, and be mindful of Your presence this weekend. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 131, regarding Mackenzie Nicole McCance, which was

adopted.

Senator Cunningham offered Senate Resolution No. 132, regarding Candace Griffin, Doniphan, which was adopted.

Senator Cunningham offered Senate Resolution No. 133, regarding Robert T. “Bob” Netherland, Doniphan, which was adopted.

Senator Wallingford offered Senate Resolution No. 134, regarding Lieutenant Barry D. Hovis, Jackson, which was adopted.

Senator Hoskins offered Senate Resolution No. 135, regarding Eagle Scout Andrew Vincent Smith, Chillicothe, which was adopted.

CONCURRENT RESOLUTIONS

Senator Sater offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 12

Relating to Law Enforcement Recognition Week.

Whereas, designating a period of time to recognize and appreciate our law enforcement officers is an altogether fitting expression of our gratitude toward them; and

Whereas, the brave men and women who undertake the difficult and sometimes impossible pledge to protect and serve the public are essential to the safety of our citizens; and

Whereas, our law enforcement officers too frequently receive little or no expressed appreciation for performing services which place enormous burdens upon themselves and their families and which may, at any time, place them in danger of losing life and limb; and

Whereas, the people of Missouri hold law enforcement officers in the highest regard and wish to express profound appreciation for them:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate the week beginning on the second Saturday of June each year as "Law Enforcement Recognition Week" in the state of Missouri, and encourage citizens of Missouri to observe the week with appropriate activities and events to recognize and support the men and women who protect and serve the public; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 364—By Munzlinger.

An Act to repeal section 137.021, RSMo, and to enact in lieu thereof one new section relating to agricultural land values.

SB 365—By Curls.

An Act to repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to real property owned by limited liability companies, with penalty provisions.

SB 366—By Koenig.

An Act to repeal sections 337.025, 337.029, and 337.033, RSMo, and to enact in lieu thereof three new sections relating to the licensure of psychologists.

THIRD READING OF SENATE BILLS

SS No. 2 for **SB 19**, introduced by Senator Brown, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 19

An Act to amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

Was taken up.

On motion of Senator Brown, **SS No. 2** for **SB 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson—21

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Romine
Schupp	Sifton	Silvey	Walsh	Wieland—12		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Hegeman assumed the Chair.

President Parson assumed the Chair.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 16**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 182**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **SB 5**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 237**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 45**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Small Business and Industry, submitted the following report:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 113**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wallingford, Chairman of the Committee on Veterans and Military Affairs, submitted the following report:

Mr. President: Your Committee on Veterans and Military Affairs, to which were referred **SB 37** and **SB 244**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schaaf, Chairman of the Committee on Health and Pensions, submitted the following report:

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 74**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Parson assumed the Chair.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 130**, entitled:

An Act to amend chapter 387, RSMo, by adding thereto twenty-two new sections relating to transportation network companies, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 316—General Laws.

SB 317—Professional Registration.

SB 318—Transportation, Infrastructure and Public Safety.

SB 319—Local Government and Elections.

SB 320—Government Reform.

SB 321—Transportation, Infrastructure and Public Safety.

SB 322—Transportation, Infrastructure and Public Safety.

SB 323—Transportation, Infrastructure and Public Safety.

SB 324—Transportation, Infrastructure and Public Safety.

SB 325—Ways and Means.

SB 326—Ways and Means.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HB 60—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Richard referred **SCR 11** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Rizzo introduced to the Senate, the Physician of the Day, Dr. Donald A. Potts, M.D., Independence.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, January 30, 2017.

SENATE CALENDAR

FOURTEENTH DAY – MONDAY, JANUARY 30, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 327-Romine

SB 328-Romine

SB 329-Kehoe

SB 330-Munzlinger

SB 331-Hegeman	SB 357-Wieland
SB 332-Hegeman	SB 358-Wieland
SB 333-Schaaf	SB 359-Hoskins
SB 334-Sater	SB 360-Hoskins, et al
SB 335-Hoskins	SB 361-Hummel
SB 336-Wieland	SB 362-Hummel
SB 337-Wieland	SB 363-Chappelle-Nadal
SB 338-Schupp, et al	SB 364-Munzlinger
SB 339-Schupp	SB 365-Curls
SB 340-Schupp	SB 366-Koenig
SB 341-Nasheed	SJR 1-Schaaf
SB 342-Holsman	SJR 2-Schaaf
SB 343-Libla	SJR 3-Schaaf
SB 344-Nasheed	SJR 4-Chappelle-Nadal
SB 345-Nasheed	SJR 5-Emery
SB 346-Schaaf	SJR 6-Emery
SB 347-Kraus	SJR 7-Silvey
SB 348-Wasson	SJR 8-Romine
SB 349-Wasson	SJR 9-Romine
SB 350-Walsh	SJR 10-Holsman
SB 351-Sifton	SJR 11-Hegeman
SB 352-Sifton	SJR 12-Eigel
SB 353-Wallingford	SJR 13-Emery
SB 354-Rowden	SJR 14-Kraus
SB 355-Romine	SJR 15-Rizzo
SB 356-Romine	

HOUSE BILLS ON SECOND READING

HCS for HBs 91, 42, 131, 265 & 314

HCS for HB 130

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------|----------------------------------|
| 1. SB 21-Brown | 6. SB 237-Rowden, with SCS |
| 2. SB 31-Emery | 7. SB 45-Romine |
| 3. SB 16-Kraus, with SCS | 8. SB 113-Schatz, with SCS |
| 4. SB 182-Onder | 9. SBs 37 & 244-Silvey, with SCS |
| 5. SB 5-Richard | 10. SB 74-Schaaf, with SCS |

INFORMAL CALENDAR

RESOLUTIONS

Reported from Committee

HCR 4-Bernskoetter (Kehoe)

To be Referred

SCR 12-Sater

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Journal of the Senate

FIRST REGULAR SESSION

FOURTEENTH DAY—MONDAY, JANUARY 30, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Senator Rowden offered the following prayer:

Our Father, as we enter in to a new week here in the Missouri Senate, we do so with a deep understanding of the challenges and opportunities before us. We are humans — deeply flawed and in need of guidance and wisdom that only You can provide. We come before You in humility, recognizing the importance of the decisions we make in this chamber and their impact on the people of this great state.

Today, we pray for those in this state who are in need. The single mom struggling to make ends meet, the family broken by addiction, the grandmother struggling to raise her two young grandchildren alone. As we begin our duties this week, I pray that we would have the clearest understanding possible of the work that can be done in this chamber to help those who, for whatever reason, cannot help themselves.

I pray that we would heed the words on the prophet Micah —

He has told you, O man, what is good—

and what does the Lord require of you,

but to do justice and to love kindness,

and to walk humbly with your God?

We thank You for placing us here at this time and at this place to serve the people of Missouri. It is a responsibility we will not take for granted, but embrace with thankfulness in our hearts. AMEN

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, January 26, 2017 was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 136, regarding the Fiftieth Wedding Anniversary of James Talley “Jim” and Judy Elaine Dye, Mexico, which was adopted.

Senator Richard offered Senate Resolution No. 137, regarding Grace Julianne Carter, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 138, regarding Nian Wheeler, Joplin, which was adopted.

Senator Munzlinger offered Senate Resolution No. 139, regarding Rebecca Kaylee Wilcox, Macon, which was adopted.

Senator Kraus offered Senate Resolution No. 140, regarding Eagle Scout Noah DeHardt, Kansas City, which was adopted.

Senator Kehoe offered Senate Resolution No. 141, regarding Parsell M. Murphy Jr., which was adopted.

Senator Kehoe offered Senate Resolution No. 142, regarding Katherine “Katie” Imhoff, California, which was adopted.

Senator Sater offered Senate Resolution No. 143, regarding Jessie Peterson, Rockaway Beach, which was adopted.

Senator Schaaf offered Senate Resolution No. 144, regarding Jacqueline Janorschke, Saint Joseph, which was adopted.

Senator Wallingford offered Senate Resolution No. 145, regarding Hunter Kay, Fredericktown, which was adopted.

Senator Emery offered Senate Resolution No. 146, regarding Hunter Lovewell, Creighton, which was adopted.

Senator Hegeman offered Senate Resolution No. 147, regarding Natalie Ayers, Green City, which was adopted.

Senator Kehoe offered Senate Resolution No. 148, regarding Macey R. Hurst, Wardsville, which was adopted.

Senator Libla offered Senate Resolution No. 149, regarding Moriah McLard, Essex, which was adopted.

Senator Riddle offered Senate Resolution No. 150, regarding Nicholas “Nick” Banze, Warrenton, which was adopted.

Senator Hoskins offered Senate Resolution No. 151, regarding Logan Korff, Norborne, which was adopted.

Senator Hoskins offered Senate Resolution No. 152, regarding Emily Lock, Carrollton, which was adopted.

Senator Hegeman offered Senate Resolution No. 153, regarding Adam Kirby, Trenton, which was adopted.

Senator Riddle offered Senate Resolution No. 154, regarding Baileigh Horstmeier, Fulton, which was adopted.

Senator Sater offered Senate Resolution No. 155, regarding Colton Spencer, Aurora, which was adopted.

Senator Munzlinger offered Senate Resolution No. 156, regarding Ashley Spear, Louisburg, which was adopted.

Senator Cunningham offered Senate Resolution No. 157, regarding Heidi Murry, Plato, which was adopted.

Senator Richard offered Senate Resolution No. 158, regarding Jessica Hylton, Avilla, which was adopted.

Senator Libla offered Senate Resolution No. 159, regarding Central Middle School in New Madrid County R-I School District, which was adopted.

Senator Sifton offered Senate Resolution No. 160, regarding Richard King, Webster Groves, which was adopted.

Senator Emery offered Senate Resolution No. 161, regarding Dennis Wilson, Lamar, which was adopted.

Senator Emery offered Senate Resolution No. 162, regarding the 2016 Class 2 State Champion Lamar High School Tigers cross country program, which was adopted.

Senator Emery offered Senate Resolution No. 163, regarding the 2016 Class 2 State Champion Lamar High School football program, which was adopted.

Senator Emery offered Senate Resolution No. 164, regarding the Honorable James Bickel, Nevada, which was adopted.

Senator Kehoe offered Senate Resolution No. 165, regarding Chloe Krause, Bland, which was adopted.

Senator Kehoe offered Senate Resolution No. 166, regarding Caitlin Crutsinger, Belle, which was adopted.

CONCURRENT RESOLUTIONS

HCR 4, entitled:

Relating to disapproving the recommendations of the Missouri Citizens' Commission on Compensation for Elected Officials.

Was taken up for third reading and final passage by Senator Kehoe.

Under the provisions of Senate Rule 91, Senator Eigel requested unanimous consent to be excused from voting on the 3rd reading of **HCR 4**, which request was granted.

Under the provisions of Senate Rule 91, Senator Holsman requested unanimous consent to be excused from voting on the 3rd reading of **HCR 4**, which request was granted.

Under the provisions of Senate Rule 91, Senator Schaaf requested unanimous consent to be excused from voting on the 3rd reading of **HCR 4**, which request was granted.

Under the provisions of Senate Rule 91, Senator Chappelle-Nadal requested unanimous consent to be excused from voting on the 3rd reading of **HCR 4**, which request was granted.

Under the provisions of Senate Rule 91, Senator Nasheed requested unanimous consent to be excused from voting on the 3rd reading of **HCR 4**, which request was granted.

Under the provisions of Senate Rule 91, Senator Curls requested unanimous consent to be excused from voting on the 3rd reading of **HCR 4**, which request was granted.

Under the provisions of Senate Rule 91, Senator Silvey requested unanimous consent to be excused from voting on the 3rd reading of **HCR 4**.

Senator Kehoe rose to object.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Under the provisions of Senate Rule 91, Senator Silvey requested unanimous consent to be excused from voting on the 3rd reading of **HCR 4**.

Senator Kehoe rose to object.

Under the provisions of Senate Rule 91, Senator Silvey moved that he be excused from voting on the 3rd reading of **HCR 4**.

Senator Silvey requested a roll call vote be taken on his motion to be excused from voting on the 3rd reading of **HCR 4**. He was joined in his request by Senators Chappelle-Nadal, Kehoe, Holsman and Dixon.

Senator Schaaf requested that Senator Silvey's motion be reduced to writing. He was joined in his request by Senator Holsman.

Senator Silvey's motion was submitted in writing.

Senator Kraus assumed the Chair.

Senator Riddle assumed the Chair.

Senator Onder assumed the Chair.

Senator Silvey's motion to be excused, pursuant to Senate Rule 91, was adopted by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Eigel	Holsman	Hoskins	Hummel	Koenig
Kraus	Libla	Nasheed	Rizzo	Romine	Schaaf	Schatz
Sifton	Silvey	Wallingford	Walsh	Wieland—19		

NAYS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Kehoe	Munzlinger
Onder	Richard	Riddle	Rowden	Sater	Schupp	Wasson—14

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Nasheed rose to indicate to the body that in lieu of her previous request, she would be voting on **HCR 4**.

On motion of Senator Kehoe, **HCR 4** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Hegeman	Hummel	Kehoe
Koenig	Kraus	Libla	Munzlinger	Nasheed	Onder	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schatz	Schupp
Sifton	Wallingford	Walsh	Wasson—25			

NAYS—Senators

Hoskins	Wieland—2
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Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senators

Chappelle-Nadal	Curls	Eigel	Holsman	Schaaf	Silvey—6
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Vacancies—1

The President declared the concurrent resolution passed.

On motion of Senator Kehoe, title to the concurrent resolution was agreed to.

Senator Kehoe moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

REFERRALS

President Pro Tem Richard referred **SCR 12** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTIONS OF GUESTS

Senator Cunningham introduced to the Senate, Dan Singletary, Myles Smith and Devon Wheeler, West Plains; and Bill Charles, Eminence.

Senator Romine introduced to the Senate, President Larry Isaak, Pam Schutt and Richard Short, Midwest Higher Education Compact.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Tuesday, January 31, 2017.

SENATE CALENDAR

FIFTEENTH DAY – TUESDAY, JANUARY 31, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 327-Romine	SB 355-Romine
SB 328-Romine	SB 356-Romine
SB 329-Kehoe	SB 357-Wieland
SB 330-Munzlinger	SB 358-Wieland
SB 331-Hegeman	SB 359-Hoskins
SB 332-Hegeman	SB 360-Hoskins, et al
SB 333-Schaaf	SB 361-Hummel
SB 334-Sater	SB 362-Hummel
SB 335-Hoskins	SB 363-Chappelle-Nadal
SB 336-Wieland	SB 364-Munzlinger
SB 337-Wieland	SB 365-Curls
SB 338-Schupp, et al	SB 366-Koenig
SB 339-Schupp	SJR 1-Schaaf
SB 340-Schupp	SJR 2-Schaaf
SB 341-Nasheed	SJR 3-Schaaf
SB 342-Holsman	SJR 4-Chappelle-Nadal
SB 343-Libla	SJR 5-Emery
SB 344-Nasheed	SJR 6-Emery
SB 345-Nasheed	SJR 7-Silvey
SB 346-Schaaf	SJR 8-Romine
SB 347-Kraus	SJR 9-Romine
SB 348-Wasson	SJR 10-Holsman
SB 349-Wasson	SJR 11-Hegeman
SB 350-Walsh	SJR 12-Eigel
SB 351-Sifton	SJR 13-Emery
SB 352-Sifton	SJR 14-Kraus
SB 353-Wallingford	SJR 15-Rizzo
SB 354-Rowden	

HOUSE BILLS ON SECOND READING

HCS for HBs 91, 42, 131, 265 & 314

HCS for HB 130

SENATE BILLS FOR PERFECTION

- | | |
|--------------------------|----------------------------------|
| 1. SB 21-Brown | 6. SB 237-Rowden, with SCS |
| 2. SB 31-Emery | 7. SB 45-Romine |
| 3. SB 16-Kraus, with SCS | 8. SB 113-Schatz, with SCS |
| 4. SB 182-Onder | 9. SBs 37 & 244-Silvey, with SCS |
| 5. SB 5-Richard | 10. SB 74-Schaaf, with SCS |

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Journal of the Senate

FIRST REGULAR SESSION

FIFTEENTH DAY—TUESDAY, JANUARY 31, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Senator Schupp offered the following prayer:

Good morning.

The Torah is the first five books of Moses...Genesis, Exodus, Leviticus, Numbers and Deuteronomy. The Torah portion being studied this week by Jews around the world deals with the final 3 plagues that result in Israelites being granted their freedom from slavery under the Egyptian Pharaoh.

The 9th and final plague was the plague of darkness, darkness so thick that the people were immobilized and felt lost even in their own familiar surroundings... for whole of the three days the plague lasted.

As we look to the lessons for today, we recognize that we, too, can get lost in the darkness, losing sight of what is really important in the midst of this familiar place. ...Losing sight of the true needs: for justice, for equality, for freedom and protections for all of the people of Missouri.

Today's prayer is in the form of a poem from Alden Solovy, with adaptations entitled:

For Political Leadership

God of history,

We yearn for thoughtful leadership,

For men and women of inspiration and insight,

Visionaries to build nations and communities

In Your image,

Stewards dedicated to justice,

Unafraid to face the challenges of our day,

Doing so without being lead by fear...

So that our cities and countries resonate with

Compassion and health,

Justice and mercy,

Kindness and peace.

Bless our leaders

With dedication and foresight,

Fortitude and imagination

To solve the complex issues that threaten our future.

May they lead us to a time when neighbors embrace
 And the communities thrive,
 A time when liberty and equality
 Reign supreme.

Source and Shelter,
 Grant safety and security to all nations and communities,
 So that truth and harmony will resound
 From the four corners of the earth.
 Let the light of wisdom
 Shine brightly in the halls of power,
 A beacon of hope
 For every land and every people.
 And together we say: Amen

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Brown—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 167, regarding Rachel Lacey, Wheaton, which was adopted.

Senator Sater offered Senate Resolution No. 168, regarding Hallie Diane Mitchell, Wheaton, which was adopted.

Senator Sater offered Senate Resolution No. 169, regarding Tori Danielle Goostree, Comfort, which was adopted.

Senator Sater offered Senate Resolution No. 170, regarding Audrey Jo Shockley, Wheaton, which was adopted.

Senator Schaaf offered Senate Resolution No. 171, regarding the Fiftieth Wedding Anniversary of Ken and Sandy Hamlin, St. Joseph, which was adopted.

Senator Hegeman offered Senate Resolution No. 172, regarding the Fiftieth Wedding Anniversary of Raymond and Rose Frueh, Pickering, which was adopted.

Senator Hegeman offered Senate Resolution No. 173, regarding the Sixtieth Wedding Anniversary of Alan and Dorothy “Dottie” Zahnd, Savannah, which was adopted.

Senator Emery offered Senate Resolution No. 174, regarding Andy Pogue, Clinton, which was adopted.

Senator Hegeman offered Senate Resolution No. 175, regarding Larry E. Pratt, Kearney, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 367—By Rowden.

An Act to repeal sections 407.1025, 407.1028, 407.1031, 407.1034, 407.1035, 407.1037, 407.1043, 407.1047, and 407.1049, RSMo, and to enact in lieu thereof nine new sections relating to powersport vehicle franchise practices.

SB 368—By Rowden.

An Act to amend chapter 640, RSMo, by adding thereto one new section relating to the disclosure of financial information submitted to the department of natural resources.

SB 369—By Rowden.

An Act to repeal sections 168.133 and 304.060, RSMo, and to enact in lieu thereof two new sections relating to transportation of school children.

SB 370—By Munzlinger.

An Act to amend chapter 252, RSMo, by adding thereto one new section relating to permits issued by the department of conservation.

SB 371—By Schaaf.

An Act to repeal sections 192.945, 192.947, 195.207, and 261.265, RSMo, and to enact in lieu thereof four new sections relating to hemp extract.

SB 372—By Hegeman.

An Act to repeal sections 30.763, 192.2030, 194.400, 194.408, 194.409, 208.993, 210.105, 217.900, 217.903, 217.905, 217.907, 217.910, 256.603, 256.605, 256.606, 256.623, 256.626, 256.630, 301.3087, 324.240, 324.243, 324.400, 324.406, 324.409, 324.412, 324.415, 324.421, 324.424, 324.427, 324.430, 324.436, 324.475, 324.478, 324.481, 324.487, 324.493, 324.496, 324.499, 337.700, 337.739, 338.320, 620.050, 643.173 and 643.175, RSMo, and to enact in lieu thereof twenty-six new sections relating to the existence of certain state administrative entities, with existing penalty provisions.

SB 373—By Curls.

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the Missouri senior farmers' market nutrition program.

SB 374—By Hummel.

An Act to repeal section 209.202, RSMo, and to enact in lieu thereof one new section relating to service dogs, with a penalty provision.

SB 375—By Hoskins.

An Act to repeal section 188.028, RSMo, and to enact in lieu thereof one new section relating to abortion.

SB 376—By Hoskins.

An Act to amend chapter 10, RSMo, by adding thereto one new section relating to the designation of a state dog.

SB 377—By Wallingford.

An Act to repeal section 452.375, RSMo, and to enact in lieu thereof one new section relating to child custody arrangements.

SB 378—By Wallingford.

An Act to repeal section 163.018, RSMo, and to enact in lieu thereof one new section relating to early childhood education, with an emergency clause.

SB 379—By Schatz.

An Act To repeal section 304.005, RSMo, and to enact in lieu thereof one new section relating to autocycles.

SB 380—By Riddle.

An Act to repeal section 227.240, RSMo, and to enact in lieu thereof one new section relating to the department of transportation corridor, with an existing penalty provision.

SB 381—By Riddle.

An Act to repeal section 29.200, RSMo, and to enact in lieu thereof one new section relating to reports issued by the state auditor.

SB 382—By Riddle and Munzlinger.

An Act to repeal sections 253.040 and 253.090, RSMo, and to enact in lieu thereof two new sections relating to maintaining Missouri state parks.

SB 383—By Eigel and Wieland.

An Act to repeal section 537.067, RSMo, and to enact in lieu thereof one new section relating to joint and several liability.

SJR 16—By Munzlinger.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 43(c) of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the reauthorization of a sales tax dedicated to conservation purposes.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **HCR 4**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, be signed to the end that it shall have the full force and effect of law. No objections being made, the concurrent resolution was read by the Secretary and signed by the President Pro Tem.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

Jefferson City

65102

January 30, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments to office made by Governor Jeremiah W. (Jay) Nixon and submitted to you on January 4, 2017, for your advice and consent:

Terral S. Akins, 9003 South Shroul Road, Grain Valley, Jackson County, Missouri 64029, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2018, and until his successor is duly appointed and qualified; vice, Curtis E. Chick, Jr., term expired.

Ronald D. Bockenkamp, Democrat, 3808 Highway O, Farmington, Saint Francois County, Missouri 63640, as a member of the Public Defender Commission, for a term ending January 6, 2020, and until his successor is duly appointed and qualified; vice, Oliver Glenn Boyer, resigned.

Ralph C. Bray Jr., Republican, 1206 Peyton Drive, Jefferson City, Cole County, Missouri 65101, as a member of the Missouri Commission on Human Rights, for a term ending April 1, 2020, and until his successor is duly appointed and qualified; vice, Alfred B. Jordan, term expired.

Katie L. Brown, 307 Copper Tree Court, O'Fallon, Saint Charles County, Missouri 63368, as a member of the Missouri State Foster Care and Adoption Board, for a term ending May 31, 2018, and until her successor is duly appointed and qualified; vice, Suzette Forbis, term expired.

Christopher M. Carriger, 417 South Myrtle Street, Purcell, Jasper County, Missouri 64857, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2017, and until his successor is duly appointed and qualified; vice, Anne M. Bethune, term expired.

Jennifer L. Cato, 13519 East 40th Street South, Independence, Jackson County, Missouri 64055, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2017, and until her successor is duly appointed and qualified; vice, Berta M. Sailer, term expired.

Theodore E. (Tec) Chapman II, 3708 Watts Drive, Columbia, Boone County, Missouri 65203, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2018, and until his successor is duly appointed and qualified; vice, Martha Black, term expired.

James D. Cunningham Jr., 3240 Buckingham Drive, Sedalia, Pettis County, Missouri 65301, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, Timothy P. McGrail, term expired.

Donna J. Erickson, 843 Clark Avenue, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Betty Marver, term expired.

Robert E. Gardner Sr., Republican, 3125 Beaver Creek Road, Cape Girardeau, Cape Girardeau County, Missouri 63703, as a member of The State Board of Registration for the Healing Arts, for a term ending September 3, 2020, and until his successor is duly appointed and qualified; vice, Benjamin Lampert, term expired.

Jerry J. Genochio, Democrat, 10809 North Holmes Street, Kansas City, Clay County, Missouri 64155, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, Robert Dowis, withdrawn.

Gene Patrick Graham III, 1608 Wilson Avenue, Columbia, Boone County, Missouri 65201, as the student representative of the University of Missouri Board of Curators, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Tracy Mulderig, term expired.

Carlos A. Haley, Republican, 4230 S. Illinois Avenue, Joplin, Newton County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2022, and until his successor is duly appointed and qualified; vice, Keith G. Hankins, term expired.

Clint L. Harris, 2020 Washington Avenue, Apartment 305, Saint Louis City, Missouri 63103, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2020, and until his successor is duly appointed and qualified; vice, Neil G. Nuttall, term expired.

Martha O. Harris, 1217 Elmerine Avenue, Jefferson City, Cole County, Missouri 65101, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2021, and until her successor is duly appointed and qualified; vice, Michael “Wayne” Wheeler, term expired.

Kirby L. Hatcher, Independent, 9430 North Bradford Avenue, Kansas City, Platte County, Missouri 64154, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2021, and until his successor is duly appointed and qualified; vice, Ronald Dirck Clark, term expired.

Daniel D. Haug, 1403 Satinwood Drive, Jefferson City, Cole County, Missouri 65109, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2020, and until his successor is duly appointed and qualified; vice, Michael E. Warrick, term expired.

Nila B. Hayes, 1584 North Farm Road 97, Springfield, Greene County, Missouri 65802, as a member of the Missouri Consolidated Health Care Plan Board of Trustees, for a term ending December 31, 2020, and until her successor is duly appointed and qualified; vice, Vernetta Kaye Newsome, resigned.

Edward D. Hillhouse, Republican, 664 Blackhorse Drive, Villa Ridge, Franklin County, Missouri 63089, as a member of the State Highways and Transportation Commission, for a term ending March 1, 2017, and until his successor is duly appointed and qualified; vice, Stephen R. Miller, term expired.

James L. Hodge, Democrat, 5549 South Maryland Avenue, Springfield, Greene County, Missouri 65810, as a member of the State Board of Senior Services, for a term ending August 30, 2020, and until his successor is duly appointed and qualified; vice, Edna L. Chavis, term expired.

Carla G. Holste, 301 Lucretia Lane, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Teresa M. Wallace, term expired.

Theresa R. Hubbard, Independent, 1037 Fox Run Terrace, Liberty, Clay County, Missouri 64068, as a member of the State Committee of Marital and Family Therapists, for a term ending January 26, 2020, and until her successor is duly appointed and qualified; vice, Ronald N. Kemp, term expired.

Al W. Johnson, Republican, 4321 Olive Street, Saint Louis City, Missouri 63108, as a member and Secretary of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Andrew Schwartz, term expired.

Bradley A. Jones, 233 North Ellis Street, Cape Girardeau, Cape Girardeau County, Missouri 63701, as the student representative of the Southeast Missouri State University Board of Regents, for a term ending January 1, 2018, and until his successor is duly appointed and qualified; vice, Austin D. Cordell, term expired.

Darrell R. Jones, Republican, 4407 Kensington Drive, Saint Joseph, Buchanan County, Missouri 64506, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2022, and until his successor is duly appointed and qualified; vice, Leo Blakley, term expired.

James B. Kelly Jr., Democrat, 11720 Madison, Kansas City, Jackson County, Missouri 64114, as a member of The State Board of Registration for the Healing Arts, for a term ending September 3, 2019, and until his successor is duly appointed and qualified; vice, John Lyskowski, term expired.

Christine M. Kiefer, 3920 Christian School Road, Hartsburg, Boone County, Missouri 65039, as a member of the Board of

Cosmetology and Barber Examiners, for a term ending May 1, 2020, and until her successor is duly appointed and qualified; vice, RSMo. 329.015.

Matthew D. Kitzi, Democrat, 705 Old Hawthorne Drive East, Columbia, Boone County, Missouri 65201, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2023, and until his successor is duly appointed and qualified; vice, Joseph B. Bosse, term expired.

Susan Michelle (Shelley) Kneuvean, 2347 Northeast Cross Creek Lane, Lee's Summit, Jackson County, Missouri 64086, as a member of the Missouri Workforce Development Board, for a term ending March 3, 2019, and until her successor is duly appointed and qualified; vice, J. Gil Kennon, term expired.

Stephen Mahfood, Democrat, 18417 Rieger Road, Wildwood, Saint Louis County, Missouri 63005, as a member of the State Environmental Improvement and Energy Resources Authority, for a term ending January 22, 2019, and until his successor is duly appointed and qualified; vice, Robert C. Kramer, term expired.

Lana M. Martin, 323 West 8th Street, Apartment 404, Kansas City, Jackson County, Missouri 64105, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Rebeka R. McIntosh, term expired.

Ryan G. McKenna, Democrat, 267 Oak Path Drive, Ballwin, Saint Louis County, Missouri 63011, as a member of the State Tax Commission, for a term ending January 23, 2020, and until his successor is duly appointed and qualified; vice, Randy Holman, term expired.

Ronald K. Medin, 1215 Elmerine Avenue, Jefferson City, Cole County, Missouri 65101, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, William Compere, deceased.

Scott M. Meierhoffer, Republican, 3402 Stanford Court, Saint Joseph, Buchanan County, Missouri 64506, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2021, and until his successor is duly appointed and qualified; vice, Gary A. Fraker, term expired.

Salvatore D. Monteleone, Democrat, 1211 West 66th Street, Kansas City, Jackson County, Missouri 64113, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2019, and until his successor is duly appointed and qualified; vice, Michael Mahler, term expired.

Sarah E. Mullen, Independent, 140 Buckstone Pass, Defiance, Saint Charles County, Missouri 63341, as a member of the St. Charles County Convention & Sports Facilities Authority, for a term ending April 27, 2021, and until her successor is duly appointed and qualified; vice, Thomas Heinsz, term expired.

Kevin J. Murphy, 6518 Christopher Drive, Saint Louis, Saint Louis County, Missouri 63129, as a member of the Petroleum Storage Tank Insurance Fund Board of Trustees, for a term ending February 6, 2019, and until his successor is duly appointed and qualified; vice, Bruce V. Work, term expired.

Thomas W. Neer, Republican, 241 Defiance Road, Defiance, Saint Charles County, Missouri 63341, as a member of the Public Defender Commission, for a term ending August 25, 2022, and until his successor is duly appointed and qualified; vice, Kenneth C. Hensley, term expired.

Janay N. Orange, 263 South Complex, 920 Memorial Drive, Maryville, Nodaway County, Missouri 64468, as the student representative of the Northwest Missouri State University Board of Regents, for a term ending December 31, 2017, and until her successor is duly appointed and qualified; vice, Ve'Shawn Dixon, term expired.

Joseph G. Plaggenberg, 211 Bluff Street, Jefferson City, Cole County, Missouri 65101, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, RSMo 210.153.

Alice Chang Ray, 1301 Kiefer Bluffs Drive, Ballwin, Saint Louis County, Missouri 63021, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2019, and until her successor is duly appointed and qualified; vice, Patricia L. Kohl, term expired.

Eric R. Reece, 114 Forest Ridge Road, Rogersville, Christian County, Missouri 65742, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, RSMo. 210.153.

Joe Reichmuth, Independent, 1707 San Martin Drive, Fenton, Saint Louis County, Missouri 63026, as a member of the Workers' Compensation Determinations Review Board, for a term ending March 3, 2017, and until his successor is duly appointed and qualified; vice, Timothy White, term expired.

Taryn G. Sandheinrich, 447 Hampshire Court, Webster Groves, Saint Louis County, Missouri 63119, as a member of the Missouri State Board of Nursing, for a term ending June 1, 2020, and until her successor is duly appointed and qualified; vice, Laura Noren, term expired.

Charles W. Schlottach, 2102 Highway 50, Owensville, Gasconade County, Missouri 65066, as a member of the Missouri Wine and

Grape Board, for a term ending October 28, 2019, and until his successor is duly appointed and qualified; vice, Jonathan L. Held, term expired.

Kayla S. Schoonover, Independent, 30512 State Highway N, Fairfax, Atchison County, Missouri 64446, as a member of the Missouri Western State University Board of Governors, for a term ending October 29, 2017, and until her successor is duly appointed and qualified; vice, Lesley J. Graves, term expired.

James J. Sievers Jr., Democrat, 1177 Lockett Road, Des Peres, Saint Louis County, Missouri 63131, as a member of the Public Defender Commission, for a term ending August 25, 2022, and until his successor is duly appointed and qualified; vice, Douglas A. Copeland, term expired.

John W. Sisco III, Republican, 4804 Marchwood Drive, Saint Louis, Saint Louis County, Missouri 63128, as a member of the Coordinating Board for Higher Education, for a term ending June 27, 2018, and until his successor is duly appointed and qualified; vice, Doris J. Carter, term expired.

Betty J. Sisco, 8611 Buddy Holly Drive, Pacific, Jefferson County, Missouri 63069, as a member of the Missouri Brain Injury Advisory Council, for a term ending May 12, 2017, and until her successor is duly appointed and qualified; vice, Shane Mechem, term expired.

Robert Bradley Speaks, Independent, 16312 East Cogan Drive, Independence, Jackson County, Missouri 64055, as a member of the State Board of Embalmers and Funeral Directors, for a term ending April 1, 2020, and until his successor is duly appointed and qualified; vice, T. Eric Pitman, term expired.

Jon T. Sundvold, Republican, 2700 Westbrook Way, Columbia, Boone County, Missouri 65203, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2017, and until his successor is duly appointed and qualified; vice, David Steward, resigned.

Roxanna R. Swaney, Republican, 934 Swallow Circle, Liberty, Clay County, Missouri 64068, as a member of the Northwest Missouri State University Board of Regents, for a term ending January 1, 2023, and until her successor is duly appointed and qualified; vice, James Loch, term expired.

Erwin O. (Erv) Switzer, Democrat, 6379 Devonshire Avenue, Saint Louis City, Missouri 63109, as a member and Chair of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2017, and until his successor is duly appointed and qualified; vice, Joan M. Burger, term expired.

Christopher L. Thiemann, 504 E. Main Street, Humansville, Polk County, Missouri 65674, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2019, and until his successor is duly appointed and qualified; vice, RSMo. 210.153.

Amy J. Thompson, 46 Arthur Court, Camdenton, Camden County, Missouri 65020, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2019, and until her successor is duly appointed and qualified; vice, Joyce E. Massey, term expired.

Christine White, Democrat, 1612 Dougherty Ferry Road, Kirkwood, Saint Louis County, Missouri 63122, as a member of the Workers' Compensation Determinations Review Board, for a term ending March 3, 2017, and until her successor is duly appointed and qualified; vice, Jack D. Atterberry, term expired.

Lawrence G. Young, Democrat, 502 East 122nd Street, Kansas City, Jackson County, Missouri 64145, as a member of the Missouri Fire Safety Education/Advisory Commission, for a term ending April 26, 2018, and until his successor is duly appointed and qualified; vice, Eric S. Latimer, term expired.

I hereby withdraw from your consideration the following appointments to office made by Governor Jeremiah W. (Jay) Nixon and submitted to you on January 5, 2017 for your advice and consent:

Susan A. Fluegel, 7574 Kirky Court, Shrewsbury, Saint Louis County, Missouri 63119, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, April S. Wilson, term expired.

Courtney L. Kovachevich, 11742 Longleaf Circle, Saint Louis, Saint Louis County, Missouri 63146, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Dorothy Rowland, term expired.

April S. Wilson, 416 West Madison, Memphis, Scotland County, Missouri 63555, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Susan A. Fluegel, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Senator Richard moved that the above appointments be returned to the Governor per his request, which motion prevailed.

SENATE BILLS FOR PERFECTION

SB 21 was placed on the Informal Calendar.

Senator Emery moved that **SB 31** be taken up for perfection, which motion prevailed.

Senator Emery offered **SS** for **SB 31**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 31

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

Senator Emery moved that **SS** for **SB 31** be adopted.

Senator Onder assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Emery, **SB 31**, with **SS** (pending), was placed on the Informal Calendar.

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, the Physician of the Day, Dr. Jim Kelly, M.D., Kansas City.

Senator Sifton introduced to the Senate, Dave Garth, Miki McKee Koelsch and Michael Biedenstein, St. Louis.

On motion of Senator Onder, the Senate adjourned until 2:00 p.m., Wednesday, February 1, 2017.

SENATE CALENDAR

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 1, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 327-Romine
SB 328-Romine
SB 329-Kehoe
SB 330-Munzlinger
SB 331-Hegeman
SB 332-Hegeman

SB 333-Schaaf
SB 334-Sater
SB 335-Hoskins
SB 336-Wieland
SB 337-Wieland
SB 338-Schupp, et al

SB 339-Schupp	SB 370-Munzlinger
SB 340-Schupp	SB 371-Schaaf
SB 341-Nasheed	SB 372-Hegeman
SB 342-Holsman	SB 373-Curls
SB 343-Libla	SB 374-Hummel
SB 344-Nasheed	SB 375-Hoskins
SB 345-Nasheed	SB 376-Hoskins
SB 346-Schaaf	SB 377-Wallingford
SB 347-Kraus	SB 378-Wallingford
SB 348-Wasson	SB 379-Schatz
SB 349-Wasson	SB 380-Riddle
SB 350-Walsh	SB 381-Riddle
SB 351-Sifton	SB 382-Riddle and Munzlinger
SB 352-Sifton	SB 383-Eigel and Wieland
SB 353-Wallingford	SJR 1-Schaaf
SB 354-Rowden	SJR 2-Schaaf
SB 355-Romine	SJR 3-Schaaf
SB 356-Romine	SJR 4-Chappelle-Nadal
SB 357-Wieland	SJR 5-Emery
SB 358-Wieland	SJR 6-Emery
SB 359-Hoskins	SJR 7-Silvey
SB 360-Hoskins, et al	SJR 8-Romine
SB 361-Hummel	SJR 9-Romine
SB 362-Hummel	SJR 10-Holsman
SB 363-Chappelle-Nadal	SJR 11-Hegeman
SB 364-Munzlinger	SJR 12-Eigel
SB 365-Curls	SJR 13-Emery
SB 366-Koenig	SJR 14-Kraus
SB 367-Rowden	SJR 15-Rizzo
SB 368-Rowden	SJR 16-Munzlinger
SB 369-Rowden	

HOUSE BILLS ON SECOND READING

HCS for HBs 91, 42, 131, 265 & 314

HCS for HB 130

SENATE BILLS FOR PERFECTION

SB 16-Kraus, with SCS

SB 182-Onder

SB 5-Richard
SB 237-Rowden, with SCS
SB 45-Romine

SB 113-Schatz, with SCS
SBs 37 & 244-Silvey, with SCS
SB 74-Schaaf, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 21-Brown

SB 31-Emery, with SS (pending)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTEENTH DAY—WEDNESDAY, FEBRUARY 1, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

Hear my cry, O God, and listen to my prayer.” (Psalm 61:1)

Almighty God, we call upon You and ask that You hear our prayers. We trust in Your presence in our lives. We remember the history of our ancestors and reflect on how they contributed to who we are today. We are thankful that we are now part of that history and making our own contributions. It is here that we can make a significant contribution to the promotion of justice that You require of us, so guide and help us provide such bills that are helpful in accomplishing this end. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 176, regarding Eugene Joseph “Gene” Hinrichs, Bridgeton, which was adopted.

Senator Schupp offered Senate Resolution No. 177, regarding Erwin Sigmund “Erv” Adam, Kirkwood, which was adopted.

Senator Sater offered Senate Resolution No. 178, regarding Madison Hicks, which was adopted.

Senator Kehoe offered Senate Resolution No. 179, regarding the Missouri Catholic Conference, which was adopted.

Senator Schupp offered Senate Resolution No. 180, regarding Lester Louis “Les” Dills, Overland, which was adopted.

CONCURRENT RESOLUTIONS

Senator Sater offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 13

Relating to the observance of Ronald Reagan Day in Missouri.

Whereas, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, Union leader, corporate spokesman, Governor of California, and President of the United States; and

Whereas, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America, the second of which he earned the confidence of 60% of the electorate and was victorious in 49 of the 50 states in the general election - a record unsurpassed in the history of American presidential elections; and

Whereas, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and

Whereas, during Mr. Reagan’s presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government which led to an unprecedented economic expansion and opportunity for millions of Americans; and

Whereas, Mr. Reagan’s commitment to an active social policy agenda for the nation’s children helped lower crime and drug use in our neighborhoods; and

Whereas, President Reagan’s commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America’s Armed Forces to meet 21st Century challenges; and

Whereas, President Reagan’s vision of “peace through strength” led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

Whereas, February 6, 2017, will be the 106th anniversary of Ronald Reagan’s birth, and the twelfth since his passing:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby declare February 6th of each year to be “Ronald Reagan Day” in Missouri and urge all citizens of Missouri to recognize this event and participate fittingly in its observance; and

Be It Further Resolved that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 384—By Rowden.

An Act to repeal section 386.370, RSMo, and to enact in lieu thereof one new section relating to the

public service commission assessment to public utilities.

SB 385—By Rowden.

An Act to amend chapter 590, RSMo, by adding thereto one new section relating to the disclosure of privileged information obtained during a peer support counseling session.

SB 386—By Wieland.

An Act to amend chapter 379, RSMo, by adding thereto two new sections relating to competition in the insurance market, with an effective date.

SB 387—By Curls.

An Act to repeal sections 197.300, 197.305, 197.310, 197.311, 197.312, 197.315, 197.316, 197.318, 197.320, 197.326, 197.327, 197.330, 197.366, and 197.367, RSMo, and to enact in lieu thereof fourteen new sections relating to long-term care certificates of need, with existing penalty provisions.

SB 388—By Curls.

An Act to repeal section 332.081, RSMo, and to enact in lieu thereof two new sections relating to dental faculty permits.

SB 389—By Sater.

An Act to repeal section 116.080, RSMo, and to enact in lieu thereof one new section relating to initiative petitions, with existing penalty provisions.

SB 390—By Emery.

An Act to repeal section 478.570, RSMo, and to enact in lieu thereof one new section relating to an additional circuit judge in the seventeenth judicial circuit.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 34**, entitled:

An Act to repeal sections 400.1-101, 400.1-102, 400.1-103, 400.1-105, 400.1-106, 400.1-107, 400.1-108, 400.1-201, 400.1-202, 400.1-203, 400.1-204, 400.1-205, 400.1-206, 400.1-207, 400.1-208, 400.7-102, 400.7-103, 400.7-104, 400.7-105, 400.7-201, 400.7-202, 400.7-203, 400.7-204, 400.7-205, 400.7-206, 400.7-207, 400.7-208, 400.7-209, 400.7-210, 400.7-301, 400.7-302, 400.7-303, 400.7-304, 400.7-305, 400.7-307, 400.7-308, 400.7-309, 400.7-401, 400.7-402, 400.7-403, 400.7-404, 400.7-501, 400.7-502, 400.7-503, 400.7-504, 400.7-505, 400.7-506, 400.7-507, 400.7-508, 400.7-509, 400.7-601, 400.7-602, 400.7-603, and 400.7-604, RSMo, and to enact in lieu thereof sixty-four new sections relating to the uniform commercial code.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 35**, entitled:

An Act to repeal section 577.037, RSMo, and to enact in lieu thereof one new section relating to the admission of chemical test results in intoxication-related proceedings, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 31**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 31** was again taken up.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

Senator Emery moved that **SS** for **SB 31** be adopted, which motion prevailed on a standing division vote.

On motion of Senator Emery, **SS** for **SB 31** was declared perfected and ordered printed.

Senator Kraus moved that **SB 16**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 16**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 16

An Act to repeal sections 144.010 and 144.605, RSMo, and to enact in lieu thereof two new sections relating to sales and use taxes for delivery charges.

Was taken up.

Senator Kraus moved that **SCS** for **SB 16** be adopted.

Senator Kraus offered **SS** for **SCS** for **SB 16**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 16

An Act to repeal sections 144.010 and 144.605, RSMo, and to enact in lieu thereof two new sections relating to sales and use taxes for delivery charges.

Senator Kraus moved that **SS** for **SCS** for **SB 16** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SCS** for **SB 16** was declared perfected and ordered printed.

On motion of Senator Kehoe, the Senate recessed until 6:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Kraus.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 31**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTIONS OF GUESTS

Senator Hegeman introduced to the Senate, the Physician of the Day, Dr. Patrick Harr, M.D., and his daughter, Traci Kennedy, Maryville.

Senator Kraus introduced to the Senate, representatives from Missouri credit unions.

Senator Richard introduced to the Senate, Nian Wheeler and Grace Carter, Joplin; Mackenzie McCance, Dixon; Tori Goostree, Rocky Comfort; Rachel Lacey, Hallie Mitchell and Audrey Shockley, Exeter; Catlin Crutsinger, Belle; Chloe Krause, Bland; and Greta McNamee and Amanda Kurukulasuriya, Columbia, representatives of the State Historical Society of Missouri's National History Day in Missouri.

Senator Richard introduced to the Senate, Brandon Jordon and Deven Kimsey.

Senator Cunningham introduced to the Senate, Hilary Perkins, Jason Ray, and members of the Missouri Chapter of the American Planning Association and the Southwest Missouri Council of Governments.

Senator Hoskins introduced to the Senate, Carol White, Felicia Farabee, Phyllis Domann, Michelle Gemes, Cheryl Yung and Kathy Tumlinson, representatives from Missouri credit unions.

President Parson introduced to the Senate, Ben Terrell, Truman State University.

Senator Hegeman introduced to the Senate, Ivan Kanak, Ivan Klippenstein and former State Senator Glen Klippenstein, Maysville.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTEENTH DAY—THURSDAY, FEBRUARY 2, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 329-Kehoe	SB 368-Rowden
SB 330-Munzlinger	SB 369-Rowden
SB 331-Hegeman	SB 370-Munzlinger
SB 332-Hegeman	SB 371-Schaaf
SB 333-Schaaf	SB 372-Hegeman
SB 334-Sater	SB 373-Curls
SB 335-Hoskins	SB 374-Hummel
SB 336-Wieland	SB 375-Hoskins
SB 337-Wieland	SB 376-Hoskins
SB 338-Schupp, et al	SB 377-Wallingford
SB 339-Schupp	SB 378-Wallingford
SB 340-Schupp	SB 379-Schatz
SB 341-Nasheed	SB 380-Riddle
SB 342-Holsman	SB 381-Riddle
SB 343-Libla	SB 382-Riddle and Munzlinger
SB 344-Nasheed	SB 383-Eigel and Wieland
SB 345-Nasheed	SB 384-Rowden
SB 346-Schaaf	SB 385-Rowden
SB 347-Kraus	SB 386-Wieland
SB 348-Wasson	SB 387-Curls
SB 349-Wasson	SB 388-Curls
SB 350-Walsh	SB 389-Sater
SB 351-Sifton	SB 390-Emery
SB 352-Sifton	SJR 1-Schaaf
SB 353-Wallingford	SJR 2-Schaaf
SB 354-Rowden	SJR 3-Schaaf
SB 355-Romine	SJR 4-Chappelle-Nadal
SB 356-Romine	SJR 5-Emery
SB 357-Wieland	SJR 6-Emery
SB 358-Wieland	SJR 7-Silvey
SB 359-Hoskins	SJR 8-Romine
SB 360-Hoskins, et al	SJR 9-Romine
SB 361-Hummel	SJR 10-Holsman
SB 362-Hummel	SJR 11-Hegeman
SB 363-Chappelle-Nadal	SJR 12-Eigel
SB 364-Munzlinger	SJR 13-Emery
SB 365-Curls	SJR 14-Kraus
SB 366-Koenig	SJR 15-Rizzo
SB 367-Rowden	SJR 16-Munzlinger

HOUSE BILLS ON SECOND READING

HCS for HBs 91, 42, 131, 265 & 314
HCS for HB 130

HB 34-Plocher
HB 35-Plocher

THIRD READING OF SENATE BILLS

SS for SB 31-Emery

SENATE BILLS FOR PERFECTION

SB 182-Onder
SB 5-Richard
SB 237-Rowden, with SCS
SB 45-Romine

SB 113-Schatz, with SCS
SBs 37 & 244-Silvey, with SCS
SB 74-Schaaf, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 21-Brown

RESOLUTIONS

To be Referred

SCR 13-Sater

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTEENTH DAY—THURSDAY, FEBRUARY 2, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“For this reason I bow my knees before You the Father, from whom every family in heaven and on earth takes its name.” (Ephesians 3:14)

Gracious God You have shown Your love of us in many ways and with a passion of a mother’s love for her children. And as we leave today and return to those whom You have given us, fill our hearts with love of You and for our families that make all our deeds and words resound with that love. We ask You to enrich our time with those at home and make such time precious in Your sight. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Gasconade County Republican were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 391—By Munzlinger.

An Act to repeal section 304.120, RSMo, and to enact in lieu thereof one new section relating to commercial motor vehicle routes.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following report, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the reappointment of Deron L. Cherry, as a member of the Jackson County Sports Complex Authority, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said reappointment.

Senator Richard moved that the committee report be adopted, and the Senate do give its advice and consent to the above reappointment, which motion prevailed.

President Pro Tem Richard assumed the Chair.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 248**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Libla, Chairman of the Committee on Small Business and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 43**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 66**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 189**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 28**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 139**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SB 82**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Wallingford, Chairman of the Committee on Veterans and Military Affairs, submitted the following report:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 108**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Romine, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 52**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 111**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 95**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 146**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following report:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 125**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Onder, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 20**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following reports:

Mr. President: Your Committee on Economic Development, to which was referred **SB 6**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 8**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 64**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

President Parson assumed the Chair.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 16**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 13—Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolutions were read the 2nd time and referred to the Committees indicated:

SB 327—Education.

SB 328—Education.

SB 329—General Laws.

- SB 330**—Small Business and Industry.
- SB 331**—Agriculture, Food Production and Outdoor Resources.
- SB 332**—Local Government and Elections.
- SB 333**—Health and Pensions.
- SB 334**—Seniors, Families and Children.
- SB 335**—Seniors, Families and Children.
- SB 336**—Insurance and Banking.
- SB 337**—Insurance and Banking.
- SB 338**—Judiciary and Civil and Criminal Jurisprudence.
- SB 339**—Rules, Joint Rules, Resolutions and Ethics.
- SB 340**—Transportation, Infrastructure and Public Safety.
- SB 341**—Judiciary and Civil and Criminal Jurisprudence.
- SB 342**—Economic Development.
- SB 343**—Seniors, Families and Children.
- SB 344**—Judiciary and Civil and Criminal Jurisprudence.
- SB 345**—Transportation, Infrastructure and Public Safety.
- SB 346**—Economic Development.
- SB 347**—General Laws.
- SB 348**—Economic Development.
- SB 349**—Economic Development.
- SB 350**—Small Business and Industry.
- SB 351**—Judiciary and Civil and Criminal Jurisprudence.
- SB 352**—Judiciary and Civil and Criminal Jurisprudence.
- SB 353**—Professional Registration.
- SB 354**—Commerce, Consumer Protection, Energy and the Environment.
- SB 355**—Transportation, Infrastructure and Public Safety.
- SB 356**—Judiciary and Civil and Criminal Jurisprudence.
- SB 357**—Ways and Means.
- SB 358**—General Laws.
- SB 359**—Small Business and Industry.

SB 360—Education.

SB 361—Veterans and Military Affairs.

SB 362—Education.

SB 363—Seniors, Families and Children.

SB 364—Ways and Means.

SB 365—Local Government and Elections.

SB 366—Professional Registration.

SJR 1—Rules, Joint Rules, Resolutions and Ethics.

SJR 2—Economic Development.

SJR 3—Transportation, Infrastructure and Public Safety.

SJR 4—Local Government and Elections.

SJR 5—Judiciary and Civil and Criminal Jurisprudence.

SJR 6—Judiciary and Civil and Criminal Jurisprudence.

SJR 7—Rules, Joint Rules, Resolutions and Ethics.

SJR 8—Veterans and Military Affairs.

SJR 9—Progress and Development.

SJR 10—Rules, Joint Rules, Resolutions and Ethics.

SJR 11—General Laws.

SJR 12—Ways and Means.

SJR 13—Ways and Means.

SJR 14—Rules, Joint Rules, Resolutions and Ethics.

SJR 15—General Laws.

SJR 16—Agriculture, Food Production and Outdoor Resources.

On motion of Senator Kehoe, the Senate recessed until 11:30 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **SB 19**.

Bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SB 19**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS No. 2** for **SB 19**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

SS No. 2 for **SB 19**, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HBs 91, 42, 131, 265 & 314**—General Laws.

HCS for **HB 130**—Transportation, Infrastructure and Public Safety.

HB 34—Judiciary and Civil and Criminal Jurisprudence.

HB 35—Judiciary and Civil and Criminal Jurisprudence.

THIRD READING OF SENATE BILLS

SS for **SB 31**, introduced by Senator Emery, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 31

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

Was taken up.

On motion of Senator Emery, **SS** for **SB 31** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Wallingford	Wasson

Wieland—22

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

Absent—Senator Silvey—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

INTRODUCTIONS OF GUESTS

Senator Holsman introduced to the Senate, Dr. Thuylinh Pham, Kansas City.

Senator Kehoe introduced to the Senate, Anthony Williams, Bowie State University; Tevin Smith, Delaware State University; Gabriel Russell, Huston-Tillotson University; Kendall Gilbert, Lincoln University of Pennsylvania; Jeffron Smalls, North Carolina Agricultural and Technical University; Patrick Minor, North Carolina Central University; Rakeeb Akande, Savannah State University; Jamie Binns, Talladega College; Darien Traywick, Lincoln University of Missouri; Kings of Historically Black Colleges and Universities.

Senator Hummel introduced to the Senate, Izzi Sapp, Oakville; and Izzi was made an honorary page.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 6, 2017.

SENATE CALENDAR

EIGHTEENTH DAY—MONDAY, FEBRUARY 6, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 367-Rowden
 SB 368-Rowden
 SB 369-Rowden
 SB 370-Munzlinger
 SB 371-Schaaf

SB 372-Hegeman
 SB 373-Curls
 SB 374-Hummel
 SB 375-Hoskins
 SB 376-Hoskins

SB 377-Wallingford	SB 385-Rowden
SB 378-Wallingford	SB 386-Wieland
SB 379-Schatz	SB 387-Curls and Munzlinger
SB 380-Riddle	SB 388-Curls
SB 381-Riddle	SB 389-Sater
SB 382-Riddle and Munzlinger	SB 390-Emery
SB 383-Eigel and Wieland	SB 391-Munzlinger
SB 384-Rowden	

THIRD READING OF SENATE BILLS

SS for SCS for SB 16-Kraus

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|----------------------------|
| 1. SB 182-Onder | 9. SB 66-Schatz, with SCS |
| 2. SB 5-Richard | 10. SB 189-Kehoe, with SCS |
| 3. SB 237-Rowden, with SCS | 11. SB 28-Sater, with SCS |
| 4. SB 45-Romine | 12. SB 139-Sater, with SCS |
| 5. SB 113-Schatz, with SCS | 13. SB 20-Brown |
| 6. SBs 37 & 244-Silvey, with SCS | 14. SB 6-Richard, with SCS |
| 7. SB 74-Schaaf, with SCS | 15. SB 11-Wasson, with SCS |
| 8. SB 43-Romine, with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 21-Brown

CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 248-Kraus	SB 52-Nasheed, with SCS
SB 82-Dixon, with SCS	SB 111-Hegeman
SB 108-Romine, with SCS	SB 95-Sater

SB 146-Romine
SB 125-Wasson

SB 8-Munzlinger
SB 64-Schatz

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Journal of the Senate

FIRST REGULAR SESSION

EIGHTEENTH DAY—MONDAY, FEBRUARY 6, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be careful then how You live, not as unwise people but as wise, making the most of the time...” (Ephesians 5:15a)

O Lord, we start another week and many voices compete for our attention and many causes seek our help. To best serve them Lord let us stay connected to You and hear Your voice. Let us open our minds and hearts to Your wisdom and then live lives that honor You in all we do and say. In Your holy name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 2, 2017 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 181, regarding Gregory Williams, Ferguson, which was adopted.

Senator Hummel offered Senate Resolution No. 182, regarding Kenneth Gustave “Ken” Crecelius, Saint

Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 183, regarding Raymond Dale “Ray” Dubberke, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 184, regarding Richard Joseph “Dick” Fallert, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 185, regarding Kenneth Dale “Ken” Fanger, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 186, regarding James Elmer “Jim” Gaebler, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 187, regarding Richard E. “Rich” King, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 188, regarding William Frederick “Bill” Mueller, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 189, regarding Robert Emmett “Bob” Myers, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 190, regarding Louis William “Bill” Nesslein, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 191, regarding William John “Bill” Richter, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 192, regarding Henry Charles “Hank” Schlichter, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 193, regarding Carl Richard Wiederhold, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 194, regarding Henry William “Hank” Klein, Saint Louis, which was adopted.

Senator Sater offered Senate Resolution No. 195, regarding the Ninetieth Birthday of Efton J. Pritchard, Reeds Spring, which was adopted.

Senator Brown offered Senate Resolution No. 196, regarding Ozark Technical Community College, which was adopted.

Senator Richard offered the following resolution:

SENATE RESOLUTION NO. 197

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Thirty-second District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, First Regular Session, that Senate Rules 3 and 4 be amended to read as follows:

“Rule 3. The business of the senate shall be [disposed of in the following order]:

1. Reading Journal.
2. Introduction of guests.
3. Petitions, memorials and remonstrances.
4. Resolutions.
5. Concurrent Resolutions.
6. Introduction of bills.
7. Report of standing committees.
8. Report of select committees.
9. Second reading of Senate bills.
10. Messages from House.
11. First reading of House bills.
12. House bills on second reading.
13. Third reading of Senate bills.
14. Bills, reports and other bills on the table, including bills for perfection.
15. House bills on third reading.
16. Order of the day.
17. Introduction of guests.
18. Announcement of committee meetings, etc.

Rule 4. The president shall, on each day, announce the business in order agreeable to the preceding rule and no business shall be taken up or considered until the [class] order of business to which it belongs is declared in order, but communications from the governor and reports from the Committee on Rules, Joint Rules, Resolutions, and Ethics may be received at any time. The first six orders of business shall be called as numerically presented until completed. The subsequent orders of business shall be considered upon a motion approved by a majority of the members elected.”

Senator Chappelle-Nadal offered Senate Resolution No. 198, regarding Jeannette Neal, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 199, regarding Thomas J. “Tom” Stelmachowicz, Saint Louis, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 392—By Holsman.

An Act to repeal section 311.070, RSMo, and to enact in lieu thereof one new section relating to operating hours of distilleries, with existing penalty provisions.

SB 393—By Dixon.

An Act to repeal sections 82.1025, 82.1027, and 82.1028, RSMo, and to enact in lieu thereof three new sections relating to property regulations in certain cities and counties.

SB 394—By Romine.

An Act to repeal sections 169.141 and 169.715, RSMo, and to enact in lieu thereof two new sections relating to school employee retirement systems.

SB 395—By Hoskins.

An Act to repeal sections 326.256, 326.259, 326.265, 326.280, 326.283, 326.286, 326.289, 326.292,

326.307, 326.310, 326.313, 326.316, and 326.325, RSMo, and to enact in lieu thereof twelve new sections relating to the regulation of public accountants, with an existing penalty provision.

SB 396—By Wallingford.

An Act to repeal section 27.010, RSMo, and to enact in lieu thereof one new section relating to the residence of the attorney general.

SB 397—By Wallingford.

An Act to repeal sections 337.010 and 337.025, RSMo, and to enact in lieu thereof two new sections relating to the licensure of psychologists.

REFERRALS

President Pro Tem Richard referred **SS** for **SCS** for **SB 16** to the Committee on Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 95**, entitled:

An Act to repeal section 490.715, RSMo, and to enact in lieu thereof one new section relating to evidence for the cost of medical care and treatment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 153**, entitled:

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SB 182** be taken up for perfection, which motion prevailed.

Senator Onder offered **SS** for **SB 182**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 182

An Act to repeal sections 34.209, 34.212, and 34.216, RSMo, and to enact in lieu thereof three new sections relating to public contracts.

Senator Onder moved that **SS** for **SB 182** be adopted.

At the request of Senator Onder, **SB 182**, with **SS** (pending), was placed on the Informal Calendar.
On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Tuesday, February 7, 2017.

SENATE CALENDAR

NINETEENTH DAY—TUESDAY, FEBRUARY 7, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 367-Rowden	SB 383-Eigel and Wieland
SB 368-Rowden	SB 384-Rowden
SB 369-Rowden	SB 385-Rowden
SB 370-Munzlinger	SB 386-Wieland
SB 371-Schaaf	SB 387-Curls and Munzlinger
SB 372-Hegeman	SB 388-Curls
SB 373-Curls	SB 389-Sater
SB 374-Hummel	SB 390-Emery
SB 375-Hoskins	SB 391-Munzlinger
SB 376-Hoskins	SB 392-Holsman
SB 377-Wallingford	SB 393-Dixon
SB 378-Wallingford	SB 394-Romine
SB 379-Schatz	SB 395-Hoskins
SB 380-Riddle	SB 396-Wallingford
SB 381-Riddle	SB 397-Wallingford
SB 382-Riddle and Munzlinger	

HOUSE BILLS ON SECOND READING

HB 95-McGaugh	HB 153-Corlew
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THIRD READING OF SENATE BILLS

SS for SCS for SB 16-Kraus
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|----------------------------|
| 1. SB 5-Richard | 8. SB 66-Schatz, with SCS |
| 2. SB 237-Rowden, with SCS | 9. SB 189-Kehoe, with SCS |
| 3. SB 45-Romine | 10. SB 28-Sater, with SCS |
| 4. SB 113-Schatz, with SCS | 11. SB 139-Sater, with SCS |
| 5. SBs 37 & 244-Silvey, with SCS | 12. SB 20-Brown |
| 6. SB 74-Schaaf, with SCS | 13. SB 6-Richard, with SCS |
| 7. SB 43-Romine, with SCS | 14. SB 11-Wasson, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 21-Brown	SB 182-Onder, with SS (pending)
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CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 248-Kraus	SB 95-Sater
SB 82-Dixon, with SCS	SB 146-Romine
SB 108-Romine, with SCS	SB 125-Wasson
SB 52-Nasheed, with SCS	SB 8-Munzlinger
SB 111-Hegeman	SB 64-Schatz

RESOLUTIONS

SR 197-Richard

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Journal of the Senate

FIRST REGULAR SESSION

NINETEENTH DAY—TUESDAY, FEBRUARY 7, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Senator Wallingford offered the following prayer:

“Pray in the Spirit at all times in every prayer and supplication. To that end keep alert and always persevere...” (Ephesians 6)

Almighty God, Your word makes it clear to us that it takes a committed heart and soul to follow You, and to do so we need to be mindful to pray constantly so we may be attentive in following You. Send Your Spirit to refresh us, moving us in the way You desire for each here. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 200, regarding Richard Francis “Dick” Schlinger, O’Fallon, which was adopted.

Senator Hoskins offered Senate Resolution No. 201, regarding Billie Jo Gibbs, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 202, regarding Becky Cantrell, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 203, regarding Grant Eugene Hotmer, Odessa, which was adopted.

Senator Hummel offered Senate Resolution No. 204, regarding the Shakespeare Festival, St. Louis, which was adopted.

Senator Schaaf offered Senate Resolution No. 205, regarding the Fiftieth Wedding Anniversary of Tom and Penny Johnson, St. Joseph, which was adopted.

Senator Rowden offered Senate Resolution No. 206, regarding the Fiftieth Birthday of Helen Oetting, Columbia, which was adopted.

Senator Onder offered Senate Resolution No. 207, regarding Cub Scout Pack 858, St. Peters, which was adopted.

Senator Munzlinger offered Senate Resolution No. 208, regarding Rocky L. Seiner, Macon, which was adopted.

Senator Kraus offered Senate Resolution No. 209, regarding Eagle Scout Cooper Jacob Smith, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 210, regarding Eagle Scout Daniel Gardner, Lee's Summit, which was adopted.

Senator Richard moved that **SR 197** be taken up for adoption, which motion prevailed.

Senator Holsman offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Resolution No. 197, appearing in the Senate Journal for Monday, February 6, 2017, Page 226, Line 23 of said journal page, by inserting immediately after the words "by a" the following: "**two-thirds**".

Senator Holsman moved that the above amendment be adopted.

Senator Schaaf requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Holsman, Richard, Romine and Silvey.

SA 1 was adopted by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Eigel	Holsman	Hoskins	Hummel
Koenig	Libla	Nasheed	Rizzo	Romine	Schaaf	Schupp
Sifton	Silvey	Walsh	Wieland—18			

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Kraus	Munzlinger
Onder	Richard	Riddle	Rowden	Sater	Schatz	Wallingford

Wasson—15

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

At the request of Senator Richard, the motion to adopt **SR 197** was withdrawn, which placed it back on the Calendar.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 398—By Romine.

An Act to amend chapter 449, RSMo, by adding thereto twenty-four new sections relating to homeowners' associations.

SB 399—By Romine.

An Act to repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.170, 304.180, and 407.816, RSMo, and to enact in lieu thereof ten new sections relating to vehicle composition requirements.

SB 400—By Hegeman.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to the duties of the board of probation and parole.

SB 401—By Rowden.

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof one new section relating to a visiting scholars certificate.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SB 182**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 182** was again taken up.

President Pro Tem Richard assumed the Chair.

Senator Riddle assumed the Chair.

Senator Walsh offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 182, Page 1, Section 34.209, Line 4 of said page, by inserting immediately after "34.209." the following: "**1.**"; and

Further amend said bill and section, Page 2, line 6 of said page, by inserting after all of said line the following:

“2. Nothing in this section shall be construed to prohibit the state, any agency of the state, any political subdivision of the state, or any instrumentality thereof from requiring bidders, offerors, contractors, or subcontractors, as a condition of receiving work or submitting a bid, to test its workers and employees for the presence of illegal drugs.”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Onder, **SB 182**, with SS (pending), was placed on the Informal Calendar.

INTRODUCTION OF GUESTS

On behalf of Senators Cunningham, Emery, Hegeman, Hoskins, Kehoe, Libla, Richard, Riddle, Sater, Schaaf, Wallingford and himself, Senator Munzlinger introduced to the Senate, 2016-2017 FFA State Officers: Jacqueline Janorschke, Logan Korff, Natalie Ayers, Baileigh Horstmeier, Nick Banze, Emily Lock, Hunter Lovewell, Katherine Imhoff, Jessica Hylton, Ashley Spear, Colton Spencer, Jessie Peterson, Heidi Murry, Macey Hurst, Hunter Kay, Moriah McLard and Adam Kirby.

Senator Chappelle-Nadal introduced to the Senate, representatives of Library Advocacy Day.

Senator Dixon introduced to the Senate, Trisha Doering and Trish Lavish, Southwest Missouri Area Health Education Center, Springfield.

Senator Chappelle-Nadal introduced to the Senate, former State Representative Margaret Donnelly.

On behalf of Senator Hummel and herself, Senator Schupp introduced to the Senate, Violet Marcel and Aaron Hotfelder, England.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, February 8, 2017.

SENATE CALENDAR

TWENTIETH DAY—WEDNESDAY, FEBRUARY 8, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 367-Rowden
SB 368-Rowden
SB 369-Rowden
SB 370-Munzlinger
SB 371-Schaaf

SB 372-Hegeman
SB 373-Curls
SB 374-Hummel
SB 375-Hoskins
SB 376-Hoskins

SB 377-Wallingford	SB 390-Emery
SB 378-Wallingford	SB 391-Munzlinger
SB 379-Schatz	SB 392-Holsman
SB 380-Riddle	SB 393-Dixon
SB 381-Riddle	SB 394-Romine
SB 382-Riddle and Munzlinger	SB 395-Hoskins
SB 383-Eigel and Wieland	SB 396-Wallingford
SB 384-Rowden	SB 397-Wallingford
SB 385-Rowden	SB 398-Romine
SB 386-Wieland	SB 399-Romine
SB 387-Curls, et al	SB 400-Hegeman
SB 388-Curls	SB 401-Rowden
SB 389-Sater	

HOUSE BILLS ON SECOND READING

HB 95-McGaugh	HB 153-Corlew
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THIRD READING OF SENATE BILLS

SS for SCS for SB 16-Kraus
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|----------------------------|
| 1. SB 5-Richard | 8. SB 66-Schatz, with SCS |
| 2. SB 237-Rowden, with SCS | 9. SB 189-Kehoe, with SCS |
| 3. SB 45-Romine | 10. SB 28-Sater, with SCS |
| 4. SB 113-Schatz, with SCS | 11. SB 139-Sater, with SCS |
| 5. SBs 37 & 244-Silvey, with SCS | 12. SB 20-Brown |
| 6. SB 74-Schaaf, with SCS | 13. SB 6-Richard, with SCS |
| 7. SB 43-Romine, with SCS | 14. SB 11-Wasson, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 21-Brown	SB 182-Onder, with SS (pending)
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CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 248-Kraus

SB 82-Dixon, with SCS

SB 108-Romine, with SCS

SB 52-Nasheed, with SCS

SB 111-Hegeman

SB 95-Sater

SB 146-Romine

SB 125-Wasson

SB 8-Munzlinger

SB 64-Schatz

RESOLUTIONS

SR 197-Richard

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Journal of the Senate

FIRST REGULAR SESSION

TWENTIETH DAY—WEDNESDAY, FEBRUARY 8, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“And take the helmet of salvation, and the sword of the Spirit, which is the word of God.” (Ephesians 6:17)

Delving into Your word O Lord, guided by Your spirit helps us to stay on the narrow road of truth. We know for every kernel of truth there can be a thousand lies surrounding it. So we ask for Your presence to keep us on track and to walk in truth for that is our only source to truly know Your righteousness, to embrace the gift of Your salvation and to walk in the truth. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 211, regarding the City of Olivette, which was adopted.

Senator Hegeman offered Senate Resolution No. 212, regarding the Seventieth Anniversary of Hubert and Marle Seipel, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 213, regarding the Sixty-fifth Anniversary of Dick and Betty Kiser, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 214, regarding the Association of Missouri Electric Cooperatives, which was adopted.

Senator Hegeman offered Senate Resolution No. 215, regarding the Sixtieth Wedding Anniversary of Vernon and Beverly Trump, Trenton, which was adopted.

Senator Kehoe offered Senate Resolution No. 216, regarding the 2016 Class 2 State Champion Fatima High School Cross Country Lady Comets, which was adopted.

Senator Sater offered Senate Resolution No. 217, regarding the Ninetieth Birthday of Glenn Alfred Jones, which was adopted.

Senator Sater offered Senate Resolution No. 218, regarding the One Hundredth Birthday of Orpha B. Johnson, Reeds Spring, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 402—By Wieland.

An Act to repeal section 172.100, RSMo, and to enact in lieu thereof two new sections relating to state colleges and universities grievance procedures.

SB 403—By Wieland.

An Act to repeal section 392.248, RSMo, and to enact in lieu thereof one new section relating to the use of universal service funds for lifeline service providers.

SB 404—By Hegeman.

An Act to repeal sections 311.185, 311.420, and 311.462, RSMo, and to enact in lieu thereof four new sections relating to transportation of alcohol products, with penalty provisions.

SB 405—By Hegeman.

An Act to repeal section 190.327, RSMo, and to enact in lieu thereof one new section relating to emergency dispatch service boards in certain counties.

SB 406—By Wasson.

An Act to amend chapter 160, RSMo, by adding thereto six new sections relating to adult high schools.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SB 182**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 182** was again taken up.

Senator Hoskins assumed the Chair.

President Parson assumed the Chair.

Senator Walsh offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 182, Page 1, Section 34.209, Line 15, by striking the opening and closing brackets on said line; and further amend lines 16-19 by striking all of said lines and inserting in lieu thereof the following:

“(2) Discriminate against, encourage, or give preferential treatment to bidders, offerors, contractors, or subcontractors for:

(a) Entering or refusing to enter agreements with one or more labor organizations on the same or related construction projects; or

(b) Remaining or refusing to remain signatory with one or more labor organizations on the same or related construction projects.”; and

Further amend said bill and section, page 2, lines 1-6 by striking all of said lines.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 182, Page 3, Section 34.218, Lines 6-7, by striking the following: “or threatened violation”; and further amend line 9 by striking the following: “or threatened violation”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Onder moved that **SS** for **SB 182**, as amended, be adopted, which motion prevailed.

On motion of Senator Onder, **SS** for **SB 182**, as amended, was declared perfected and ordered printed.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 219, regarding the death of Fortune Mico McGhee-King, which was adopted.

INTRODUCTION OF GUESTS

Senator Kehoe introduced to the Senate, Lincoln University faculty, staff and students.

On behalf of Senator Kehoe and herself, Senator Riddle introduced to the Senate, Christie Fain and representatives of the American Heart Association.

Senator Riddle introduced to the Senate, Luc Bronaugh, Madelyn Woods, Audrey Mayes and Emily Laskowski, Montgomery County R-2 High School.

Senator Dixon introduced to the Senate, Candis and Mark Buxton and their son, Joshua, Springfield.

Senator Emery introduced to the Senate, Kathy O'Dell; and ACTE representatives: Taylor Trull, Brennan Hartgrave, Lindsay Rusche, David Boonstra, Tylar White, Calhoun High School.

Senator Hoskins introduced to the Senate, Dr. Adriatik Likcani; and Alison Nickerson, Carlie Torreyson, Kaetlyn Hageman, Sandra Sanon and Emalee Martin, University of Central Missouri.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 9, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 367-Rowden	SB 387-Curls, et al
SB 368-Rowden	SB 388-Curls
SB 369-Rowden	SB 389-Sater
SB 370-Munzlinger	SB 390-Emery
SB 371-Schaaf	SB 391-Munzlinger
SB 372-Hegeman	SB 392-Holsman
SB 373-Curls	SB 393-Dixon
SB 374-Hummel	SB 394-Romine
SB 375-Hoskins	SB 395-Hoskins
SB 376-Hoskins	SB 396-Wallingford
SB 377-Wallingford	SB 397-Wallingford
SB 378-Wallingford	SB 398-Romine
SB 379-Schatz	SB 399-Romine
SB 380-Riddle	SB 400-Hegeman
SB 381-Riddle	SB 401-Rowden
SB 382-Riddle and Munzlinger	SB 402-Wieland
SB 383-Eigel and Wieland	SB 403-Wieland
SB 384-Rowden	SB 404-Hegeman
SB 385-Rowden	SB 405-Hegeman
SB 386-Wieland	SB 406-Wasson

HOUSE BILLS ON SECOND READING

HB 95-McGaugh

HB 153-Corlew

THIRD READING OF SENATE BILLS

SS for SCS for SB 16-Kraus
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|----------------------------|
| 1. SB 5-Richard | 8. SB 66-Schatz, with SCS |
| 2. SB 237-Rowden, with SCS | 9. SB 189-Kehoe, with SCS |
| 3. SB 45-Romine | 10. SB 28-Sater, with SCS |
| 4. SB 113-Schatz, with SCS | 11. SB 139-Sater, with SCS |
| 5. SBs 37 & 244-Silvey, with SCS | 12. SB 20-Brown |
| 6. SB 74-Schaaf, with SCS | 13. SB 6-Richard, with SCS |
| 7. SB 43-Romine, with SCS | 14. SB 11-Wasson, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 21-Brown

CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 248-Kraus	SB 95-Sater
SB 82-Dixon, with SCS	SB 146-Romine
SB 108-Romine, with SCS	SB 125-Wasson
SB 52-Nasheed, with SCS	SB 8-Munzlinger
SB 111-Hegeman	SB 64-Schatz

RESOLUTIONS

SR 197-Richard

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FIRST DAY—THURSDAY, FEBRUARY 9, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“O give thanks to the Lord, for he is good, for his steadfast love endures forever.” (Psalm 134:1)

Again we would ask of You, O Lord, that You fill our hearts and minds with peace as we stay close to You as we finish our work here for this day and head home to be with those You have given us to love. It is Your grace that makes times here and at home filled with Your blessings and lifts our heart to sing Your praise and be filled with love. So we give thanks and praise for the blessing given to us and safe travel home again. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the WDAF-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 220, regarding Sergeant Brent Bernhardt, Macon, which was adopted.

Senator Munzlinger offered Senate Resolution No. 221, regarding Corporal Kevin Linear, Macon, which was adopted.

Senator Sater offered Senate Resolution No. 222, regarding the Don Underwood family, McDonald County, which was adopted.

Senator Libla offered Senate Resolution No. 223, regarding J.P. McLane, Poplar Bluff, which was adopted.

Senator Cunningham offered Senate Resolution No. 224, regarding Paul O'Brien, Mountain View, which was adopted.

Senator Cunningham offered Senate Resolution No. 225, regarding Kelly Dame, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 226, regarding the death of Douglas A. Jones, Mansfield, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 407—By Riddle.

An Act to amend chapter 334, RSMo, by adding thereto twenty new sections relating to radiologic imaging and radiation therapy certification, with penalty provisions.

SB 408—By Koenig.

An Act to repeal sections 188.027 and 188.052, RSMo, and to enact in lieu thereof three new sections relating to abortion, with penalty provisions.

SB 409—By Koenig.

An Act to repeal sections 169.460 and 169.490, RSMo, and to enact in lieu thereof two new sections relating to the public school retirement system of the City of St. Louis.

SB 410—By Schatz.

An Act to amend chapter 197, RSMo, by adding thereto one new section relating to dental professionals practicing in hospitals.

SB 411—By Schatz.

An Act to repeal section 70.370, RSMo, and to enact in lieu thereof one new section relating to the bi-state metropolitan development district.

SB 412—By Schupp.

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to energy efficiency, with an existing penalty provision.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS** for **SCS** for **SB 16**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Carol S. Comer, as Director of the Department of Natural Resources;

Also,

Anne L. Precythe, as Director of the Department of Corrections;

Also,

Sarah Hearne Steelman, as Commissioner of the Office of Administration;

Also,

Christine L. Chinn, as Director of the Department of Agriculture; and

Charles Andrew Juden, III, as Director of the Department of Public Safety.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion, which request was denied.

Senator Holsman requested the committee reports on Anne L. Precythe, as Director of the Department of Corrections and Carol S. Comer, as Director of the Department of Natural Resources, be voted on separately, which request was granted.

Senator Richard requested unanimous consent of the Senate to vote on the remaining committee reports in one motion, which request was granted.

Senator Richard moved that the remaining committee reports be adopted and the Senate do give its advice and consent to said appointments, which motion prevailed.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Anne L. Precythe, as Director of the Department of Corrections, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Richard moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Carol S. Comer, as Director of the Department of Natural Resources, beg leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Richard moved that the committee report be adopted and the Senate do give its advice and

consent to the above appointment, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 367—Transportation, Infrastructure and Public Safety.

SB 368—Agriculture, Food Production and Outdoor Resources.

SB 369—Transportation, Infrastructure and Public Safety.

SB 370—Ways and Means.

SB 371—Health and Pensions.

SB 372—Professional Registration.

SB 373—Agriculture, Food Production and Outdoor Resources.

SB 374—Seniors, Families and Children.

SB 375—Seniors, Families and Children.

SB 376—General Laws.

SB 377—Seniors, Families and Children.

SB 378—Education.

SB 379—Transportation, Infrastructure and Public Safety.

SB 380—Transportation, Infrastructure and Public Safety.

SB 381—Professional Registration.

SB 382—Agriculture, Food Production and Outdoor Resources.

SB 383—Insurance and Banking.

SB 384—Commerce, Consumer Protection, Energy and the Environment.

SB 385—Judiciary and Civil and Criminal Jurisprudence.

SB 386—Insurance and Banking.

SB 387—Health and Pensions.

SB 388—Professional Registration.

SB 389—Local Government and Elections.

SB 390—Judiciary and Civil and Criminal Jurisprudence.

SB 391—Transportation, Infrastructure and Public Safety.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 95—Government Reform.

HB 153—Government Reform.

THIRD READING OF SENATE BILLS

SS for SCS for SB 16, introduced by Senator Kraus, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 16

An Act to repeal sections 144.010 and 144.605, RSMo, and to enact in lieu thereof two new sections relating to sales and use taxes for delivery charges.

Was taken up.

On motion of Senator Kraus, **SS for SCS for SB 16** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 8th, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joseph A. Barbaglia, Democrat, 5327 Botanical Avenue, Saint Louis City, Missouri 63110, as a member of the Saint Louis City Board of Elections Commissioners, for a term ending January 10, 2021, and until his successor is duly appointed and qualified; vice, Erwin O. (Erv) Switzer, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 8th, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lateacha Tigue, Republican, 5103 Wicklow Place, Saint Louis City, Missouri 63304, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2021, and until her successor is duly appointed and qualified; vice, Al W. Johnson, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 182**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, his wife, Aubrey, and son Willem, Columbia; and Willem was made an honorary page.

Senator Emery introduced to the Senate, the Physician of the Day, Dr. Warren Lovinger, and his wife Marilyn, Nevada; and Ryan Rader, St. Charles.

Senator Kehoe introduced to the Senate, Superintendent Chuck Woody, Principal Jeff Buthod; Coach Marcus Bridges; and Anna Massman, Katie Fechtel, Brianna Haller, Kendall Haller, Alyssa Struempf, Kailey Woody, Katelyn Vanderfeltz, Alexis Fischer, Hannah Kloeppel, Lindsie Conley, Madison Conley, Sierra Sankey, Erica Reinkemeyer and Hannah Kempker, members of the State Champion Fatima Comet girls cross country team; and members of the 2016 Class 2 State Third Place Fatima Comet boys cross country team.

Senator Cunningham introduced to the Senate, Tim Bean, West Plains.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 13, 2017.

SENATE CALENDAR

TWENTY-SECOND DAY—MONDAY, FEBRUARY 13, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 392-Holsman

SB 393-Dixon

SB 394-Romine
SB 395-Hoskins
SB 396-Wallingford
SB 397-Wallingford
SB 398-Romine
SB 399-Romine
SB 400-Hegeman
SB 401-Rowden
SB 402-Wieland
SB 403-Wieland

SB 404-Hegeman
SB 405-Hegeman
SB 406-Wasson
SB 407-Riddle
SB 408-Koenig
SB 409-Koenig
SB 410-Schatz
SB 411-Schatz
SB 412-Schupp

THIRD READING OF SENATE BILLS

SS for SB 182-Onder

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|----------------------------|
| 1. SB 5-Richard | 8. SB 66-Schatz, with SCS |
| 2. SB 237-Rowden, with SCS | 9. SB 189-Kehoe, with SCS |
| 3. SB 45-Romine | 10. SB 28-Sater, with SCS |
| 4. SB 113-Schatz, with SCS | 11. SB 139-Sater, with SCS |
| 5. SBs 37 & 244-Silvey, with SCS | 12. SB 20-Brown |
| 6. SB 74-Schaaf, with SCS | 13. SB 6-Richard, with SCS |
| 7. SB 43-Romine, with SCS | 14. SB 11-Wasson, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 21-Brown

CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 248-Kraus
SB 82-Dixon, with SCS
SB 108-Romine, with SCS
SB 52-Nasheed, with SCS
SB 111-Hegeman

SB 95-Sater
SB 146-Romine
SB 125-Wasson
SB 8-Munzlinger
SB 64-Schatz

RESOLUTIONS

SR 197-Richard

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SECOND DAY—MONDAY, FEBRUARY 13, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Nearly all men can stand adversity, but if you want to test a man’s character, give him power.” (Abraham Lincoln)

Gracious Lord, You have called us into positions to provide laws that will govern the people of our state. It is humbling to have such power and we are grateful to be able to share it with our colleagues as together we provide what is truly needed. So we pray for guidance and direction so we may always do what is our very best. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 9, 2017 was read and approved.

Senator Kehoe announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Holsman—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 227, regarding the National Multiple Sclerosis Society, Saint Louis, which was adopted.

Senator Brown offered Senate Resolution No. 228, regarding the death of Geneva Irene Goodrich, Crocker, which was adopted.

Senator Sifton offered Senate Resolution No. 229, regarding Justin Behlmann, which was adopted.

Senator Sifton offered Senate Resolution No. 230, regarding Stephanie Percich, which was adopted.

Senator Kehoe offered Senate Resolution No. 231, regarding Eagle Scout David Michael Shelden, Russellville, which was adopted.

Senator Kehoe offered Senate Resolution No. 232, regarding Eagle Scout Colin Michael Walters, Lohman, which was adopted.

Senator Riddle offered Senate Resolution No. 233, regarding Mark Samm, Mexico, which was adopted.

Senator Schatz offered Senate Resolution No. 234, regarding Steven C. Walli, St. Albans, which was adopted.

Senator Kehoe offered Senate Resolution No. 235, regarding Bill Thompson, St. Louis, which was adopted.

Senator Schatz offered Senate Resolution No. 236, regarding Rudolph E. “Rudy” Kuhlmann, Ellisville, which was adopted.

Senator Schatz offered Senate Resolution No. 237, regarding Michael Joseph Joyce, Jr., Union, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 238

WHEREAS, the Missouri General Assembly has compiled a long tradition of rendering assistance to those programs aimed at developing exemplary qualities of citizenship and leadership within our youth; and

WHEREAS, the Missouri Girls State program of the American Legion Auxiliary has earned considerable recognition for its success in providing young women with a unique and valuable insight into the process of democratic government through a format of direct role-playing experience; and

WHEREAS, during June, 2017, the American Legion Auxiliary, Department of Missouri, is conducting the annual session of Missouri Girls State; and

WHEREAS, an important highlight of this event would be conducting a mock legislative session in the Senate Chamber at our State Capitol where participants could gather to gain a more realistic insight into official governmental and electoral proceedings;

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, hereby grant the adult leaders and participants of the Seventy-seventh Session of Missouri Girls State permission to use the Senate Chamber for the purpose of conducting a mock legislative session on Wednesday, June 28, 2017 from 8:00 am to 12:30 pm.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 238** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 238** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 239

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Missouri Senate has a long tradition of rendering assistance to those organizations that sponsor projects in the interest of good citizenship; and

WHEREAS, the 2017 Missouri Youth Leadership Forum for Students with Disabilities, sponsored by the Governor's Council on Disability and the Missouri Planning Council for Developmental Disabilities, is an educational experience in state government for high school juniors and seniors with disabilities by allowing such youth to participate in the democratic process:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri Senate, Ninety-ninth General Assembly, hereby grant the 2017 Missouri Youth Leadership Forum for Students with Disabilities permission to use the Senate Chamber on Thursday, July 20, 2017 from 1:45 p.m. to 3:45 p.m. for the purpose of holding a mock legislative session.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 239** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 239** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 240

WHEREAS, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

WHEREAS, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

WHEREAS, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

WHEREAS, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 5:00 p.m. Thursday, October 19, 2017 and 8:00 am to 12:00 pm Friday, October 20, 2017.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 240** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 240** was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 241

WHEREAS, the General Assembly fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the General Assembly has a long tradition of rendering assistance to those organizations who sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides its participants with a unique insight into the day to day operation of our state government;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate that the Missouri YMCA be hereby granted permission to use the Senate Chamber and Hearing rooms for the purposes of its Youth in Government program on November 9, 2017 through November 11, 2017 and November 30, 2017 through December 2, 2017.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose

of taking **SR 241** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 241** was adopted.

CONCURRENT RESOLUTIONS

Senator Hoskins offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 14

Relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress.

Whereas, Article V of the Constitution of the United States requires a Convention to be called by the Congress of the United States for the purpose of proposing an amendment to the Constitution upon application of two-thirds of the Legislatures of the several states; and

Whereas, the Legislature of the State of Missouri favors a proposal and ratification of an amendment to said Constitution, which shall set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and as a member of the United States Senate:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby make an application to Congress, as provided by Article V of the Constitution of the United States of America, to call a convention limited to proposing an amendment to the Constitution of the United States of America to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate; and

Be It Further Resolved that this application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States; and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject; and

Be It Further Resolved that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States of America until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the President and Secretary of the Senate of the United States and to the Speaker, Clerk, and Judiciary Committee Chairman of the House of Representatives of the Congress of the United States, and copies to each member of the Missouri Congressional delegation, and the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

Read 1st time.

Senator Hoskins offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 15

Whereas, on August 21, 2017, the moon will orbit between the earth and the sun and obstruct the light of the sun, thus creating a total solar eclipse; and

Whereas, the last total solar eclipse visible in the continental United States occurred in 1979; and

Whereas, this total solar eclipse will travel across the continental United States from Oregon to South Carolina; and

Whereas, the last total solar eclipse visible in Missouri occurred in 1869; and

Whereas, the center of this solar eclipse will travel directly from St. Joseph, Missouri to Perryville, Missouri, and the moon will cast a seventy-mile-wide shadow over the cities of Rock Port, Savannah, Kansas City, Chillicothe, Marshall, Moberly, Sedalia, Columbia, Jefferson City, Chesterfield, Farmington, and Cape Girardeau; and

Whereas, the moment when the moon's leading edge first obstructs the sun's light and the moon begins to cast a partial shadow is called first contact; and

Whereas, the moment when the moon's leading edge obstructs the other edge of the sun and the moon first fully obstructs the sun and casts a full shadow is called second contact; and

Whereas, the moment when the trailing edge of the moon begins receding from the sun's edge and the moon again casts a partial shadow is called third contact; and

Whereas, the time between second contact and third contact when the moon obstructs all of the sun's direct light is called the totality; and

Whereas, during both the second contact and third contact when the sun is not quite entirely obstructed by the moon, bits of sunlight will shine only through the valleys and craters of the moon creating bright spots called Baily's Beads; and

Whereas, during the totality day turns to night, stars can be seen in the sky, insects chirp, the temperature cools, the sun produces a halo effect around the black orb of the moon, and the sky on the horizon in every direction is the color of a sunset; and

Whereas, the moment when the moon's trailing edge fully passes away from the sun and no longer casts any shadow is called fourth contact; and

Whereas, first contact will occur at 11:40 A.M. on the western border of Missouri and at 11:51 A.M. on the eastern border of Missouri; and

Whereas, the time between first contact and fourth contact will be approximately two hours and fifty-five minutes; and

Whereas, the totality's Greatest Duration is located so that the length of the totality throughout all of Missouri will be within two seconds of the Greatest Duration: two minutes and forty seconds; and

Whereas, the rare event of a total solar eclipse will be an economic boon to the state; and

Whereas, over an estimated half million people will travel to Missouri to experience this total solar eclipse; and

Whereas, counties along the path of the eclipse expect to double and triple their populations for the day; and

Whereas, hotel rooms are already fully booked, public viewing areas have been designated, buses have been chartered, and small businesses are gearing up for large crowds; and

Whereas, Rosecrans Memorial Airport in St. Joseph was reserved as a viewing area five years in advance of the eclipse; and

Whereas, Faurot Field at the University of Missouri - Columbia has sold out its seventy-one thousand seats for viewing the eclipse; and

Whereas, over five hundred thousand special viewing glasses have been ordered for the multiple eclipse-related events across Missouri; and

Whereas, hundreds of people across the state have worked for two years in anticipation of the economic opportunity the total solar eclipse presents to the state by holding meetings, providing educational packets to schools, and creating events to inform the public; and

Whereas, various communities throughout the state will host eclipse-related celebrations, festivals, and activities; and

Whereas, schools and colleges are planning eclipse-related education lessons and events; and

Whereas, no picture can do the experience of a total solar eclipse justice, and one must be seen in person; and

Whereas, Missouri is an ideal location to view the 2017 total solar eclipse:

Now Therefore Be It Resolved that the members of the Senate of the Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate August 21, 2017, as "Total Eclipse Day" in the State of Missouri; and

BE IT FURTHER RESOLVED that the citizens of and visitors to this state are encouraged to observe the day with appropriate events and activities to witness the total solar eclipse.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 413—By Munzlinger.

An Act to repeal section 221.105, RSMo, and to enact in lieu thereof one new section relating to reimbursement for the cost of incarcerating prisoners.

SB 414—By Riddle.

An Act to repeal sections 43.505, 43.530, and 513.653, RSMo, and to enact in lieu thereof three new sections relating to the administration of public safety, with existing penalty provisions.

SB 415—By Hummel.

An Act to repeal section 287.067, RSMo, and to enact in lieu thereof two new sections relating to

workers' compensation for firefighters.

SB 416—By Hoskins.

An Act to amend chapter 144, RSMo, by adding thereto one new section relating to taxation of utilities used in food preparation.

SJR 17—By Kraus.

Join Resolution submitting to the qualified voters of Missouri an amendment repealing section 18(b) of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the office of assessor in charter counties.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 392—Small Business and Industry.

SB 393—Local Government and Elections.

SB 394—Health and Pensions.

SB 395—Professional Registration.

SB 396—General Laws.

SB 397—Professional Registration.

SB 398—Judiciary and Civil and Criminal Jurisprudence.

SB 399—Transportation, Infrastructure and Public Safety.

SB 400—Judiciary and Civil and Criminal Jurisprudence.

SB 401—Education.

SB 402—Education.

SB 403—Commerce, Consumer Protection, Energy and the Environment.

SB 404—Small Business and Industry.

SB 405—Commerce, Consumer Protection, Energy and the Environment.

SB 406—Economic Development.

SB 407—Professional Registration.

SB 408—Seniors, Families and Children.

SB 409—Health and Pensions.

SB 410—Health and Pensions.

SB 411—Local Government and Elections.

SB 412—Commerce, Consumer Protection, Energy and the Environment.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 251**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 51**, entitled:

An Act to repeal section 214.160, RSMo, and to enact in lieu thereof one new section relating to cemetery funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 54**, entitled:

An Act to repeal section 105.030, RSMo, and to enact in lieu thereof one new section relating to vacancies in county elected offices.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Rowden moved that **SB 237**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 237**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 237**

An Act to repeal section 538.205, RSMo, and to enact in lieu thereof one new section relating to the liability of an employee of a health care provider.

Was taken up.

Senator Rowden moved that **SCS** for **SB 237** be adopted.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

Senator Rizzo offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 237, Page 1, Section A, Line 2, by inserting after all of said line the following:

“198.700. 1. All facilities to which this chapter applies shall carry liability insurance with limits of no less than one million dollars per occurrence to compensate for injuries, damages, or death caused or contributed to by care received at the facility by a resident, or former resident, of the facility, and for any violation of the provisions of this chapter. The insurance shall apply to the facility and to any person or entity with which the facility contracts for the provision of care to the residents of the facility.

2. A facility may, in lieu of compliance with subsection 1 of this section, be self-insured if the facility posts a bond with the director of the department of insurance, financial institutions and professional registration in the amount of one million five hundred thousand dollars which will satisfy judgments or settlements against the facility for damages as described in subsection 1 of this section. The director of the department of insurance, financial institutions and professional registration shall promulgate rules and regulations to determine the information required to satisfy the requirements of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Onder assumed the Chair.

Senator Rizzo moved that the above amendment be adopted, which motion failed.

Senator Schaaf offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 237, Page 2, Section 538.205, Line 25, by striking the words “and who in”, and further amend by striking lines 26 through 28 and inserting in lieu thereof the following “;”.

Senator Schaaf moved that the above amendment be adopted.

President Parson assumed the Chair.

Senator Rowden offered **SA 1** to **SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 237, Page 1, Line 2, by inserting after the word “line” the following:

“24, by striking the word “an” and inserting in lieu thereof the following: “**a written**”; and further amend line”.

Senator Rowden moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf moved that **SA 2**, as amended, be adopted, which motion prevailed.

Senator Rowden moved that **SCS** for **SB 237**, as amended, be adopted, which motion prevailed.

On motion of Senator Rowden, **SCS** for **SB 237**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 66**, entitled:

An Act to repeal section 191.332, RSMo, and to enact in lieu thereof one new section relating to newborn screening requirements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 190** and **208**, entitled:

An Act to repeal sections 174.709, 174.712, and 178.862, RSMo, and to enact in lieu thereof three new sections relating to community college police officers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Tuesday, February 14, 2017.

SENATE CALENDAR

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 14, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 413-Munzlinger

SB 414-Riddle

SB 415-Hummel

SB 416-Hoskins

SJR 17-Kraus

HOUSE BILLS ON SECOND READING

HB 251-Taylor
HB 51-Andrews
HCS for HB 54

HCS for HB 66
HCS for HBs 190 & 208

THIRD READING OF SENATE BILLS

SS for SB 182-Onder

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|----------------------------|
| 1. SB 45-Romine | 7. SB 189-Kehoe, with SCS |
| 2. SB 113-Schatz, with SCS | 8. SB 28-Sater, with SCS |
| 3. SBs 37 & 244-Silvey, with SCS | 9. SB 139-Sater, with SCS |
| 4. SB 74-Schaaf, with SCS | 10. SB 20-Brown |
| 5. SB 43-Romine, with SCS | 11. SB 6-Richard, with SCS |
| 6. SB 66-Schatz, with SCS | 12. SB 11-Wasson, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 21-Brown

CONSENT CALENDAR

Senate Bills

Reported 2/2

SB 248-Kraus
SB 82-Dixon, with SCS
SB 108-Romine, with SCS
SB 52-Nasheed, with SCS
SB 111-Hegeman

SB 95-Sater
SB 146-Romine
SB 125-Wasson
SB 8-Munzlinger
SB 64-Schatz

RESOLUTIONS

SR 197-Richard

To be Referred

SCR 14-Hoskins

SCR 15-Hoskins

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-THIRD DAY—TUESDAY, FEBRUARY 14, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Enjoy life with the wife whom you love, all the days of your vain life that are given you under the sun...” (Ecclesiastes 9:9a)

Loving Lord, You have shown the beauty and depth of love You have for us Your children and we know that You require us to show this love to those You have given us to love, as well as those for whom we are responsible. So on this Valentine’s day of love we ask that You help us so we might express openly the depth of our love to our spouse and children so they may truly know how much we care and appreciate them in our lives and the richness they add to it. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senator—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 242, regarding the 21st annual St. Charles County Mayor's Charity Ball, which was adopted.

Senator Onder offered Senate Resolution No. 243, regarding Pinot's Palette, which was adopted.

Senator Onder offered Senate Resolution No. 244, regarding Poage Chevrolet, which was adopted.

Senator Onder offered Senate Resolution No. 245, regarding Dianna Bridgins, which was adopted.

Senator Onder offered Senate Resolution No. 246, regarding Alter'd Decor & More, which was adopted.

Senator Onder offered Senate Resolution No. 247, regarding Crossroads Arts Council, which was adopted.

Senator Onder offered Senate Resolution No. 248, regarding Andrews Academy, which was adopted.

Senator Onder offered Senate Resolution No. 249, regarding Lake St. Louis Neighbors, which was adopted.

Senator Hegeman offered Senate Resolution No. 250, regarding Karma J. Metzgar, Mound City, which was adopted.

CONCURRENT RESOLUTIONS

Senator Sater offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 16

Whereas, on April 19, 1775, the Continental Army engaged in the first battles of the Revolutionary War, known as the Battles of Lexington and Concord. The battles marked the outbreak of open armed conflict between the Kingdom of Great Britain and thirteen of its colonies on the mainland of British America to establish American independence; and

Whereas, the first Militia units, transforming into today's National Guard, were established in the Massachusetts Bay Colonies on December 13, 1636, armed to protect American citizens; and

Whereas, between 1775 and today over 41 million Americans have served in the Armed Forces of the United States, in addition to countless Militiamen between 1636 and 1775; and

Whereas, the United States has suffered casualties of over 1.4 million men and women, including scores of Missouri citizens, who have made the ultimate sacrifice defending democracy and freedom; and

Whereas, the families who have lost immediate relatives in the support of military operations, known as Gold Star Families, are also tragedies of war and armed conflict; and

Whereas, the people of Missouri wish to properly honor our military men and women who gave their lives in the service of our country, and thank their families for their sacrifice and bravery, recognizing that no one has given more for the nation than the families of the fallen; and

Whereas, war memorials perpetuate the appreciation and legacy of our fallen hero warriors and their families present and past and educate communities about the price paid for our way of life; and

Whereas, the purpose of the Gold Star Families Memorial Monument is to honor Gold Star families, relatives, and Gold Star children who have sacrificed and lost loved ones in the service of their country, and who stand as a stark reminder that freedom is not free; and

Whereas, it is appropriate to honor the fallen warriors and their families from the state of Missouri by recognizing the Gold Star Families Memorial Monument, which is to be constructed on the College of the Ozarks campus, as the official Gold Star Families Memorial Monument of the state of Missouri:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby recognize the Gold Star Families Memorial Monument, which is to be constructed on the College of the Ozarks campus in Point Lookout, Missouri, as the official Gold Star Families Memorial Monument of Missouri; and

Be It Further Resolved that the Missouri Department of Transportation is urged to prepare and establish appropriate highway signage to recognize the location and direction to the Missouri Gold Star Families Memorial Monument; such highway signage and any additional signs

shall be paid for by the College of the Ozarks; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the president of the College of the Ozarks, the Veterans and Military Coalition of the Ozarks in Branson, Missouri, and the Missouri Department of Transportation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 417—By Chappelle-Nadal.

An Act to amend chapter 441, RSMo, by adding thereto one new section relating to the disclosure of information on radon hazards to buyers of residential real property.

SB 418—By Hegeman.

An Act to repeal sections 99.848, 190.103, 190.131, 190.142, 190.165, and 190.339, RSMo, and to enact in lieu thereof seven new sections relating to emergency medical services.

SB 419—By Riddle.

An Act to repeal section 302.176, RSMo, and to enact in lieu thereof two new sections relating to traffic stop education.

SB 420—By Riddle.

An Act to repeal section 304.015, RSMo, and to enact in lieu thereof one new section relating to the operation of certain motor vehicles on the shoulder of the roadway, with existing penalty provisions.

SB 421—By Rizzo.

An Act to authorize the conveyance of certain state properties to the city of Independence.

SB 422—By Cunningham.

An Act to repeal section 443.812, RSMo, and to enact in lieu thereof one new section relating to residential mortgage loan brokers.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

SCR 14—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Richard referred **SCR 15** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 45** be taken up for perfection, which motion prevailed.

Senator Romine offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 45, Page 1, Section 435.350, Line 17, by inserting at the end of said line the

following: **“Such arbitrator or arbitrators shall be selected by mutual agreement of the parties or, in the event that an arbitrator is not mutually agreed upon, through a strike and ranking process.”**; and

Further amend said bill and section, page 2, line 29, by striking the word “and”; and further amend line 34, by striking the period “.” and inserting in lieu thereof the following: **“; and”**; and further amend line 35, by striking all of said line and inserting in lieu thereof the following:

“(5) The agreement requires that the arbitrator or”; and further amend said section by renumbering the remaining subsections accordingly.

Senator Romine moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 45, Page 1, Section 435.350, Lines 9-13, by striking all of said lines and inserting in lieu thereof the following: **“2. Except in cases where the agreement expressly and unequivocally delegates the issue of arbitrability to the court, in agreements between an employer and at-will employee to submit to arbitration certain controversies thereafter arising between the parties, the arbitrator, and not the court, shall make all initial decisions”**.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Bill No. 45, Page 2, Section 435.350, Line 45, by inserting immediately after said line the following:

“7. The provisions of subsections 2 to 6 of this section shall not apply when the controversies between the parties allege a violation of section 213.055 or section 213.070.”.

Senator Silvey moved that the above amendment be adopted.

Senator Sifton requested a roll call vote be taken. He was joined in his request by Senators Libla, Romine, Silvey and Walsh.

Senator Wallingford assumed the Chair.

At the request of Senator Romine, **SB 45**, with **SA 3** (pending), was placed on the Informal Calendar.

THIRD READING OF SENATE BILLS

SB 248, introduced by Senator Kraus, entitled:

An Act to repeal section 143.1016, RSMo, and to enact in lieu thereof one new section relating to the organ donor program fund.

Was called from the Consent Calendar and taken up.

On motion of Senator Kraus, **SB 248** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Parson assumed the Chair.

SB 82, introduced by Senator Dixon, with **SCS**, entitled:

An Act to repeal sections 2.050, 2.060, 3.010, 3.140, 3.150, 23.020, 23.040, and 23.050, RSMo, and to enact in lieu thereof eight new sections relating to the duties and functions of the joint committee on legislative research.

Was called from the Consent Calendar and taken up.

SCS for **SB 82**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 82

An Act to repeal sections 2.050, 2.060, 3.010, 3.140, 3.142, 3.150, 23.020, 23.040, and 23.050, RSMo, and to enact in lieu thereof nine new sections relating to the duties and functions of the joint committee on legislative research, with an emergency clause for a certain section.

Was taken up.

Senator Dixon moved that **SCS** for **SB 82** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS** for **SB 82** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 108, introduced by Senator Romine, with **SCS**, entitled:

An Act to repeal section 40.490, RSMo, and to enact in lieu thereof one new section relating to reemployment rights of members of the National Guard.

Was called from the Consent Calendar and taken up.

SCS for **SB 108**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 108

An Act to repeal section 40.490, RSMo, and to enact in lieu thereof one new section relating to reemployment rights for certain members of the military.

Was taken up.

Senator Romine moved that **SCS** for **SB 108** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 108** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 52, introduced by Senator Nasheed, with **SCS**, entitled:

An Act to repeal sections 610.100 and 610.200, RSMo, and to enact in lieu thereof six new sections relating to suicide awareness and prevention, with an emergency clause for certain sections.

Was called from the Consent Calendar and taken up.

SCS for **SB 52**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 52

An Act to amend chapters 9, 173, and 191, RSMo, by adding thereto four new sections relating to suicide awareness and prevention, with an emergency clause for certain sections.

Was taken up.

Senator Nasheed moved that **SCS** for **SB 52** be adopted, which motion prevailed.

On motion of Senator Nasheed, **SCS** for **SB 52** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 111, introduced by Senator Hegeman, entitled:

An Act to repeal section 473.730, RSMo, and to enact in lieu thereof one new section relating to the bonding requirements of public administrators.

Was called from the Consent Calendar and taken up.

On motion of Senator Hegeman, **SB 111** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 95, introduced by Senator Sater, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to the authority for counties to decrease their budgets.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 95** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 146, introduced by Senator Romine, entitled:

An Act to repeal section 137.556, RSMo, and to enact in lieu thereof one new section relating to expenditures from a county's special road and bridge tax.

Was called from the Consent Calendar and taken up.

On motion of Senator Romine, **SB 146** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 125, introduced by Senator Wasson, entitled:

An Act to amend chapter 324, RSMo, by adding thereto one new section relating to procedures for applying, renewing, and paying for professional licensure.

Was called from the Consent Calendar and taken up.

On motion of Senator Wasson, **SB 125** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 8, introduced by Senator Munzlinger, entitled:

An Act to repeal section 307.175, RSMo, and to enact in lieu thereof one new section relating to flashing lights used by motor vehicles and equipment, with existing penalty provisions and an emergency clause.

Was called from the Consent Calendar and taken up.

On motion of Senator Munzlinger, **SB 8** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 64, introduced by Senator Schatz, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to designation of a memorial bridge.

Was called from the Consent Calendar and taken up.

On motion of Senator Schatz, **SB 64** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 237**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Darryl M. Chatman, Democrat, 437 Prairie Creek Drive, Foristell, Saint Charles County, Missouri 63348, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2023, and until his successor is duly appointed and qualified; vice, Jon T. Sundvold, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jeffrey L. Layman, Republican, 3769 East Eaglescliffe Drive, Springfield, Greene County, Missouri 65809, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2023, and until his successor is duly appointed and qualified; vice, Donald Cupps, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jamie L. Farmer, Republican, 1821 Hayselton Drive, Jefferson City, Cole County, Missouri 65109, as a member of the University of Missouri Board of Curators, for a term ending January 1, 2023, and until her successor is duly appointed and qualified; vice, Pamela Q. Henrickson, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 251, regarding Matthew Bippes, Rolla, which was adopted.

Senator Hoskins offered Senate Resolution No. 252, regarding Shane Carroll, Warrensburg, which was adopted.

Senator Hegeman offered Senate Resolution No. 253, regarding Madelyn Derks, King City, which was adopted.

Senator Emery offered Senate Resolution No. 254, regarding Alyssa Engeman, Montrose, which was adopted.

Senator Wallingford offered Senate Resolution No. 255, regarding Rachel Grubbs, Sikeston, which was adopted.

Senator Hoskins offered Senate Resolution No. 256, regarding Kyle Hansen, Chillicothe, which was adopted.

Senator Munzlinger offered Senate Resolution No. 257, regarding Anna Link, Moberly, which was adopted.

Senator Sater offered Senate Resolution No. 258, regarding Emily McCann, La Russell, which was adopted.

Senator Munzlinger offered Senate Resolution No. 259, regarding Reed Niemeyer, Bowling Green, which was adopted.

Senator Schaaf offered Senate Resolution No. 260, regarding Mckell Norris, Easton, which was adopted.

Senator Riddle offered Senate Resolution No. 261, regarding Ashlyn Peterson, Madison, which was adopted.

Senator Richard offered Senate Resolution No. 262, regarding Hannah Rockers, Carthage, which was adopted.

Senator Onder offered Senate Resolution No. 263, regarding Abby Schmidt, Foristell, which was adopted.

Senator Rowden offered Senate Resolution No. 264, regarding Heather Snow, Columbia, which was adopted.

Senator Sater offered Senate Resolution No. 265, regarding Lora Wright, Verona, which was adopted.

INTRODUCTION OF GUESTS

Senator Wallingford introduced to the Senate, Ed Donaldson, Deputy Chief of Staff for the National Geospatial Intelligence Agency (NGA), St. Louis.

Senator Kehoe introduced to the Senate, former State Senator Major General Steve Danner, Missouri Adjutant General.

Senator Brown introduced to the Senate, Major General Kent Savre, Commanding General, U.S. Army Maneuver Support Center of Excellence, and his wife, Mary Beth.

Senator Hoskins introduced to the Senate, Brigadier General Paul Tibbets, IV, Commander of the 509th Bomb Wing, Whiteman Air Force Base, and his wife, Angelle.

Senator Chappelle-Nadal introduced to the Senate, Esther Haywood and Charlotte Tatum.

Senator Rowden introduced to the Senate, Linda Waage, Columbia College; and representatives from the University of Missouri and the University of Central Missouri.

Senator Munzlinger introduced to the Senate, his wife, Michele.

Senator Schupp introduced to the Senate, her husband, Mark.

Senator Riddle introduced to the Senate, Jennifer Hecktor, Austin Jones, Mary Groeper, Heidi Box and Karl Finke, Wright City School District.

Senator Curls introduced to the Senate, Liam Petrie, Abbie Wolfsie, Verena Im and Eameshia Dedner, Border Star Montessori School, Kansas City; and Liam, Abbie, Verena and Eameshia were made honorary pages.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, February 15, 2017.

SENATE CALENDAR

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 15, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 413-Munzlinger
SB 414-Riddle
SB 415-Hummel
SB 416-Hoskins
SB 417-Chappelle-Nadal
SB 418-Hegeman

SB 419-Riddle
SB 420-Riddle
SB 421-Rizzo
SB 422-Cunningham
SJR 17-Kraus

HOUSE BILLS ON SECOND READING

HB 251-Taylor
HB 51-Andrews
HCS for HB 54

HCS for HB 66
HCS for HBs 190 & 208

THIRD READING OF SENATE BILLS

SS for SB 182-Onder

SCS for SB 237-Rowden

SENATE BILLS FOR PERFECTION

1. SB 113-Schatz, with SCS
2. SBs 37 & 244-Silvey, with SCS
3. SB 74-Schaaf, with SCS
4. SB 43-Romine, with SCS
5. SB 66-Schatz, with SCS
6. SB 189-Kehoe, with SCS

7. SB 28-Sater, with SCS
8. SB 139-Sater, with SCS
9. SB 20-Brown
10. SB 6-Richard, with SCS
11. SB 11-Wasson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
SB 21-Brown

SB 45-Romine, with SA 3 (pending)

RESOLUTIONS

SR 197-Richard

To be Referred

SCR 16-Sater



Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FOURTH DAY—WEDNESDAY, FEBRUARY 15, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will sing of your steadfast love, O Lord forever; with my mouth I will proclaim your faithfulness to all generations.” (Psalm 89:1)

God of all generations You have promised us Your steadfast love and have shown Your faithfulness toward us. You provide through others the experience of love that will never let us go. You open our hearts to the richness of Your grace and require us to share and witness such love with others whom You put in our lives. Such love and caring is wonderful to embrace and for which we give You thanks. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senator—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Koenig offered Senate Resolution No. 266, regarding Robert Charles “Bob” Cox, Fenton, which was adopted.

Senator Koenig offered Senate Resolution No. 267, regarding Jack O’neill Beverlin, Ellisville, which was adopted.

Senator Brown offered Senate Resolution No. 268, regarding Paula Volkmer, Rolla, which was adopted.

Senator Curls offered Senate Resolution No. 269, regarding the Fiftieth Birthday of Andre Lazar Davis, Lenexa, Kansas, which was adopted.

Senator Kraus offered the following resolution:

SENATE RESOLUTION NO. 270

Whereas, federal identification standards pose a grave threat to the full faith and credit guaranteed to each of the several States in Article IV, Section 1 of the United States Constitution; and

Whereas, the tenth amendment to the United States Constitution reserves for the States or people all rights not delegated to the federal government; and

Whereas, the Constitution of the United States does not delegate authority to the federal government to create identification standards, nor to condition the full faith and credit owed to a State's acts, records, and proceedings; and

Whereas, identification documents have traditionally and historically been the province of the several States; and

Whereas, the REAL ID Act increases the administrative burden on the States, and will result in increased expense for license and identification card applicants, as well as extended waiting and processing times; and

Whereas, history has shown that all governments, even our own, present a hazard of overreach and tyranny; and

Whereas, in 2009, the Missouri General Assembly passed legislation, signed by Governor Nixon, expressly forbidding the state from cooperating with the REAL ID Act; and

Whereas, in 2013, the Missouri General Assembly passed legislation, signed by Governor Nixon, clearly prohibiting the Department of Revenue from retaining source documents as required by the REAL ID Act; and

Whereas, in 2014, the people of Missouri passed Amendment 9 to ensure their personal privacy is not violated by our government; and

Whereas, the people of Missouri have made it abundantly clear that they value their privacy and refuse to sacrifice it under the guise of security; and

Whereas, implementation of the REAL ID Act will put in place a system that would further enable a surveillance state; and

Whereas, federal identification standards pose a profound threat to the unencumbered exercise of the constitutional rights forming the bedrock of ordered liberty and a free society; and

Whereas, the brave men and women of our armed forces put their lives on the line, and sometimes make the ultimate sacrifice, to defend the very freedom and liberty the REAL ID Act asks our nation to so recklessly abandon:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, hereby urge that the United States Congress repeal the REAL ID Act of 2005; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri's Congressional delegation.

CONCURRENT RESOLUTIONS

Senator Curls offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 17

Whereas, twenty-eight million United States citizens have cognitive disabilities such as intellectual disability; severe, persistent mental illness; brain injury; stroke; and neurodegenerative disorders such as Alzheimer’s disease; and

Whereas, people with cognitive disabilities are entitled to inclusion in our democratic society under federal laws such as the Americans

with Disabilities Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Individuals with Disabilities Act, Section 504 of the Rehabilitation Act, and under state and local laws; and

Whereas, the disruptive convergence of computing and communication technologies has substantially altered how people acquire, utilize, and disseminate knowledge and information; and

Whereas, access to comprehensible information and usable communication technologies is necessary for all people in our society, particularly for people with cognitive disabilities, to promote self-determination and to engage meaningfully in major aspects of life such as education, health promotion, employment, recreation, and civic participation; and

Whereas, the vast majority of people with cognitive disabilities have limited or no access to comprehensible information and usable communication technologies; and

Whereas, people with cognitive disabilities must have access to commercially available devices and software that incorporate principles of universal design such as flexibility and ease of use for all; and

Whereas, technology and information access by people with cognitive disabilities must be guided by standards and best-practices, such as personalization and compatibility across devices and platforms, and through the application of innovations including automated and predictive technologies; and

Whereas, security and privacy must be assured and managed to protect civil rights and personal dignity of people with cognitive disabilities; and

Whereas, enhanced public and private funding is urgently required to allow people with cognitive disabilities to utilize technology and access information as a natural consequence of their rights to inclusion in our society; and

Whereas, ensuring access to technology and information for the 28 million people with cognitive disabilities in the United States will create new markets and employment opportunities; decrease dependency on public services; reduce health care costs; and improve the independence, productivity, and quality of life of people with cognitive disabilities:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge a commitment to equal rights for people with cognitive disabilities to technology and information access and call for implementation of such rights with deliberate speed.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 423—By Sater.

An Act to repeal section 208.798, RSMo, relating to the termination date of the MO Rx prescription drug program.

SB 424—By Holsman.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to motorcycle profiling.

SB 425—By Sifton.

An Act to repeal section 253.550, RSMo, and to enact in lieu thereof one new section relating to tax credits for the rehabilitation of historic structures.

SB 426—By Wasson.

An Act to repeal section 135.963, RSMo, and to enact in lieu thereof one new section relating to enhanced enterprise zones.

SB 427—By Wasson.

An Act to repeal sections 375.1025, 375.1052, 375.1053, and 375.1056, RSMo, and to enact in lieu thereof five new sections relating to internal audit requirements for insurers.

SB 428—By Eigel.

An Act to repeal sections 160.400, 160.420, and 167.349, RSMo, and to enact in lieu thereof three new sections relating to charter schools, with a delayed effective date.

SB 429—By Rowden.

An Act to amend chapters 324 and 621, RSMo, by adding thereto two new sections relating to the regulation of previously unregulated professions.

SB 430—By Cunningham.

An Act to amend chapter 362, RSMo, by adding thereto twenty-two new sections relating to family trust companies, with penalty provisions.

REFERRALS

President Pro Tem Richard referred **SCR 16** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 45**, with **SA 3** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 3 was again taken up.

Senator Wallingford assumed the Chair

President Parson assumed the Chair.

Senator Silvey moved that **SA 3** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Rowden	Sater	Schatz	Wallingford	Wasson	Wieland—21

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

Senator Schupp offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Bill No. 45, Page 2, Section 435.350, Line 42, by inserting immediately after “6.” the following: “**Any employee under the age of eighteen years who alleges sexual harassment or sexual**

assault as part of a dispute with an employer shall not be bound by any agreement with or policy established by the employer requiring disputes to be submitted to arbitration.

7.”.

Senator Schupp moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Nasheed, Rizzo, Sifton and Walsh.

Senator Schupp offered **SA 1 to SA 4**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Bill No. 45, Page 1, Section 435.350, Line 3 by striking “eighteen” and inserting in lieu thereof “twenty-one”.

Senator Schupp moved that the above amendment be adopted.

Senator Onder assumed the Chair.

President Parson assumed the Chair.

Senator Sifton requested a roll call vote be taken on the adoption of **SA 1 to SA 4**. He was joined in his request by Senators Holsman, Rizzo, Schupp and Walsh.

Senator Kraus assumed the Chair.

SA 1 to SA 4 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curly	Holsman	Nasheed	Rizzo	Rowden	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Sater	Schaaf	Schatz	Wallingford	Wasson
Wieland—22						

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

SA 4 was again taken up.

Senator Schupp moved that **SA 4** be adopted, which motion failed by the following vote:

YEAS—Senators

Chappelle-Nadal	Curly	Dixon	Holsman	Nasheed	Rizzo	Rowden
Schaaf	Schupp	Sifton	Silvey	Walsh—12		

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Sater	Schatz	Wallingford	Wasson	Wieland—20	

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

Senator Sifton offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Bill No. 45, Page 2, Section 435.350, Line 26, by inserting after all of said line the following:

(3) The agreement complies with the provisions of this chapter, including but not limited to the provisions of section 435.460;”; and further amend line 28 by striking the word “or” and inserting in lieu thereof the following: “**and**”; and

Further renumber the remaining subdivisions accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Romine, **SB 45**, as amended, was declared perfected and ordered printed.

INTRODUCTION OF GUESTS

Senator Sifton introduced to the Senate, Corbin Cole, Webster Groves; and Corbin was made an honorary page.

Senator Munzlinger introduced to the Senate, Don Webb, Suzanne Carron, Rick Rovak, Cathy Luhman and Jenna Neher, representatives of the National Multiple Sclerosis Society.

Senator Sater introduced to the Senate, Bill and Darlene Thompson, Galena.

Senator Sater introduced to the Senate, Paul and Beverly Strahl, and their granddaughters, Kaitlyn and Kaleigh, Cassville.

Senator Onder introduced to the Senate, representatives of Vision St. Charles Leadership Program.

Senator Rowden introduced to the Senate, representatives of Junior Leadership Columbia.

Senator Hoskins introduced to the Senate, Sarah Curtis, Faith Barker, Miranda Lloyd, Charlie Rhyne, Kim Hall, Eddie Chitwood and Stormy Taylor; and Bethany Ballard, Matt Barker, Drew Burgess, Mikayla Casarez, Caroline Deal, Dylan Godfrey, Brooke Gregory, Victoria Kampel, Grace Kennedy, Sydney Otto, Hannah Schierenbeck, Caroline Schomaker, Krysta Scott and Kara Smith, representatives of CLIMB High 2017, Warrensburg High School.

Senator Chappelle-Nadal introduced to the Senate, Ralph McDaniel and Francine Dugger.

Senator Libla introduced to the Senate, his niece, Alicia Libla, Poplar Bluff.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 16, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 413-Munzlinger
SB 414-Riddle
SB 415-Hummel
SB 416-Hoskins
SB 417-Chappelle-Nadal
SB 418-Hegeman
SB 419-Riddle
SB 420-Riddle
SB 421-Rizzo
SB 422-Cunningham

SB 423-Sater
SB 424-Holsman
SB 425-Sifton
SB 426-Wasson
SB 427-Wasson
SB 428-Eigel
SB 429-Rowden
SB 430-Cunningham
SJR 17-Kraus

HOUSE BILLS ON SECOND READING

HB 251-Taylor
HB 51-Andrews
HCS for HB 54

HCS for HB 66
HCS for HBs 190 & 208

THIRD READING OF SENATE BILLS

SS for SB 182-Onder

SCS for SB 237-Rowden

SENATE BILLS FOR PERFECTION

1. SB 113-Schatz, with SCS

2. SBs 37 & 244-Silvey, with SCS

3. SB 74-Schaaf, with SCS
4. SB 43-Romine, with SCS
5. SB 66-Schatz, with SCS
6. SB 189-Kehoe, with SCS
7. SB 28-Sater, with SCS

8. SB 139-Sater, with SCS
9. SB 20-Brown
10. SB 6-Richard, with SCS
11. SB 11-Wasson, with SCS

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 21-Brown

RESOLUTIONS

SR 197-Richard

To be Referred

SCR 17-Curls

SR 270-Kraus

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-FIFTH DAY—THURSDAY, FEBRUARY 16, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“But I, O Lord, cry out to you; in the morning my prayer comes before you.” (Psalm 88:17)

O Lord, on such a beautiful day we gather with the realization that You are the foundation of our lives and without You everything we do is in vain. So our prayers rise to You that You will be with us this day, bringing us safely home to share a time of love and delight with those You have given us to love. Their presence in our lives is truly a delight for which we give You thanks and praise. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 271, regarding the Fiftieth Wedding Anniversary of Larry and Janice Dawson, Burlington Junction, which was adopted.

Senator Hegeman offered Senate Resolution No. 272, regarding the Fiftieth Wedding Anniversary of Jim and Janet Hasler, Trimble, which was adopted.

Senator Hegeman offered Senate Resolution No. 273, regarding the Fifty-fifth Wedding Anniversary of James and Margarette Schmitz, Ravenwood, which was adopted.

CONCURRENT RESOLUTIONS

Senator Wallingford offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 18

Whereas, On January 30, 2015, Secretary Chuck Hagel established the Defense POW/MIA Accounting Agency (DPAA) with the goal to remain committed to bringing our missing and fallen heroes home; and

Whereas, DPAA has launched investigations worldwide to locate sites associated with unaccounted servicemen, including Vietnam where 1,617 Americans remain missing; and

Whereas, the United States involvement in the Vietnam War ended with the Paris Peace Accords on January 27, 1973; and

Whereas, there are 35 Missourians who are unaccounted for, 20 of those men are classified as killed in action, body not recovered, and 15 are classified as presumptive finding of death; and

Whereas, those 15 servicemen include: First Lieutenant Steven Neil Bezold, Chief Warrant Officer 2 Donald Martin Cramer, First Lieutenant William R. Edmondson, Private First Class Dickey W. Finley, Private First Class Paul Alfred Hasenbeck, First Lieutenant Frederick William Hess Jr., Lieutenant Junior Grade Charles Weldon Marik, Major Carl D. Miller, First Lieutenant Bernard Herbert Plassmeyer, Lieutenant Colonel Dayton William Ragland, First Lieutenant Dwight G. Rickman, Captain Robert Page Rosenbach, Captain John W. Seuell, First Lieutenant George Craig Smith, and Sergeant Randolph Bothwell Suber; and

Whereas, the families of those 15 servicemen have not had the closure of knowing what happened to their loved ones, or the option to bring their loved ones home for an honorable burial; and

Whereas, it has been 44 years since the end of the Vietnam War and 15 Missouri families have yet to be made whole again; and

Whereas, the DPAA needs to prioritize finding the 15 Missouri servicemen who are classified as presumptive finding of death and bring closure to those families:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Defense POW/MIA Accounting Agency to prioritize resolving the cases of the 15 Missourians from the Vietnam War whose status is presumptive finding of death; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Defense POW/MIA Accounting Agency and each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 431—By Emery.

An Act to amend chapter 173, RSMo, by adding thereto one new section relating to academic freedom of expression, with an emergency clause.

SB 432—By Koenig.

An Act to repeal section 452.375, RSMo, and to enact in lieu thereof one new section relating to custody of in vitro human embryos.

SB 433—By Sater.

An Act to repeal section 208.227, RSMo, and to enact in lieu thereof four new sections relating to the MO HealthNet pharmacy program.

SB 434—By Sater.

An Act to repeal section 160.530, RSMo, and to enact in lieu thereof one new section relating to the allocation of moneys to school district professional development committees.

SB 435—By Cunningham.

An Act to repeal sections 142.800, 142.803, and 142.869, RSMo, and to enact in lieu thereof three new sections relating to motor fuel taxes.

SB 436—By Curls.

An Act to amend chapter 217, RSMo, by adding thereto one new section relating to the duties of the board of probation and parole.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schaaf, Chairman of the Committee on Health and Pensions, submitted the following reports:

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 228**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 309**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 62**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 97**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 229**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 50**, begs leave to

report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 194**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which were referred **SB 314** and **SB 340**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 163**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 34**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 65**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 185**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 25**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 225**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 322**, begs leave to report that it has considered the same and recommends that the Senate

Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following reports:

Mr. President: Your Committee on Economic Development, to which was referred **SB 10**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 199**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 349**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 217**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 293**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 190**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 184**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 22**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **SB 88**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto

attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 32**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 258**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 259**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 260**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 261**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 262**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 213**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 123**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 283**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 284**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute,

hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 124**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 35**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 114**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 326**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 247**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 325**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which were referred **SB 285** and **SB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 160**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 41**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 67**, begs

leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 195**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wallingford, Chairman of the Committee on Veterans and Military Affairs, submitted the following report:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 18**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Small Business and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 290**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 330**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which were referred **SB 44** and **SB 63**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 328**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 188**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following reports:

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 102**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 275**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 303**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Walsh, Chairman of the Committee on Progress and Development, submitted the following reports:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 49**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **SB 147**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **SJR 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 122**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 227**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 210**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 220**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 376**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Schaaf, Chairman of the Committee on Health and Pensions, submitted the following report:

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 97**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 252**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 176**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 128**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 13**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 177**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 68**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 126**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 221**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 83**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 99**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 129**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 171**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 158**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 157**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 142**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 299**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 81**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 178**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 204**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 84**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 163**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 45**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 413—Local Government and Elections.

SB 414—Judiciary and Civil and Criminal Jurisprudence.

SB 415—Small Business and Industry.

SB 416—Ways and Means.

SB 417—Commerce, Consumer Protection, Energy and the Environment.

SB 418—Professional Registration.

SB 419—Transportation, Infrastructure and Public Safety.

SB 420—Transportation, Infrastructure and Public Safety.

SB 421—General Laws.

SB 422—Insurance and Banking.

SJR 17—Local Government and Elections.

RE-REFERRALS

President Pro Tem Richard re-referred **SB 287** to the Committee on the Judiciary and Civil and Criminal Jurisprudence.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 251—General Laws.

HB 51—Local Government and Elections.

HCS for HB 54—Local Government and Elections.

HCS for HB 66—Seniors, Families and Children.

HCS for HBs 190 & 208—Education.

REFERRALS

President Pro Tem Richard referred **SR 270** and **SCR 17** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SENATE BILLS FOR THIRD READING

SS for SB 182, introduced by Senator Onder, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 182

An Act to repeal sections 34.209, 34.212, and 34.216, RSMo, and to enact in lieu thereof three new sections relating to public contracts.

Was taken up.

On motion of Senator Onder, **SS for SB 182** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed	Onder
Richard	Riddle	Rowden	Sater	Schaaf	Schatz	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Rizzo	Romine	Schupp	Sifton
Silvey	Walsh—9					

Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 237, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 237**

An Act to repeal section 538.205, RSMo, and to enact in lieu thereof one new section relating to the liability of an employee of a health care provider.

Was taken up by Senator Rowden.

On motion of Senator Rowden, **SCS for SB 237** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed	Onder
Richard	Riddle	Romine	Rowden	Sater	Schaaf	Schatz
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Rizzo	Schupp	Sifton	Walsh—7
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Absent—Senators—None

Absent with leave—Senator Hummel—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Rowden, title to the bill was agreed to.

Senator Rowden moved that the vote by which the bill passed be reconsidered.

Senator Kraus moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 14, 2017

TO THE SECRETARY OF THE SENATE
99th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Substitute No. 2 for Senate Bill No. 19 entitled:

AN ACT

To amend chapter 290, RSMo, by adding thereto one new section relating to labor organizations, with penalty provisions.

On February 6, 2017, I approved Senate Substitute No. 2 for Senate Bill No. 19.

Respectfully submitted,
Eric R. Greitens
Governor

COMMUNICATIONS

Senator Sater submitted the following:

February 16, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

Pursuant to Senate Rule 45, I respectfully request that Senate Bill 97 be removed from the consent calendar.

Your assistance in this matter is appreciated.

Best Regards,



David Sater
Senator, 29th District

Also,

Senator Schatz submitted the following:

February 16, 2017

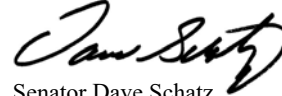
Secretary of the Senate Adriane Crouse
201 W. Capitol Ave, Room 325
Jefferson City, MO 65101

Dear Secretary Crouse:

I request Senate Bill 163 be removed from the consent calendar and returned to my committee on Transportation, Infrastructure, and Public Safety.

Thank you for your consideration.

Sincerely,



Senator Dave Schatz
District 26

INTRODUCTION OF GUESTS

Senator Riddle introduced to the Senate, Head Coach Trevor Hibbs; assistant coaches Laurie Jansen and Kathleen King; and Katie Carter, Emma Tinnin, Destinee Frost, Breanna Schwerdt, Kaylee Anderson, Jordan Rugh, Jenny Jansen, Amanda Vehlewald, Ally Benkovich, Hope Roetemeyer, Dani Schlager and Kelsey Huenefeld, 2016 Class 3 State Champion Warriors Softball team, Warrenton High School.

Senator Koenig introduced to the Senate, Makhia McDaniel and Max Marcus, North Glendale Elementary; and Makhia and Max were made honorary pages.

Senator Kehoe introduced to the Senate, John and Karen Dolan, and their children, David, Kate and Margot; and David, Kate and Margo were made honorary pages.

Senator Kehoe introduced to the Senate, his wife, Claudia, Jefferson City.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 20, 2017.

SENATE CALENDAR

 TWENTY-SIXTH DAY—MONDAY, FEBRUARY 20, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 423-Sater	SB 430-Cunningham
SB 424-Holsman	SB 431-Emery
SB 425-Sifton	SB 432-Koenig
SB 426-Wasson	SB 433-Sater
SB 427-Wasson	SB 434-Sater
SB 428-Eigel	SB 435-Cunningham
SB 429-Rowden	SB 436-Curls

THIRD READING OF SENATE BILLS

SB 45-Romine

SENATE BILLS FOR PERFECTION

1. SB 113-Schatz, with SCS	19. SB 199-Wasson
2. SBs 37 & 244-Silvey, with SCS	20. SB 349-Wasson
3. SB 74-Schaaf, with SCS	21. SB 293-Romine
4. SB 43-Romine, with SCS	22. SB 190-Emery and Nasheed, with SCS
5. SB 66-Schatz, with SCS	23. SB 184-Emery
6. SB 189-Kehoe, with SCS	24. SB 22-Chappelle-Nadal
7. SB 28-Sater, with SCS	25. SB 32-Emery, with SCS
8. SB 139-Sater, with SCS	26. SB 258-Munzlinger
9. SB 20-Brown	27. SB 259-Munzlinger
10. SB 6-Richard, with SCS	28. SB 260-Munzlinger
11. SB 11-Wasson, with SCS	29. SB 261-Munzlinger
12. SB 228-Koenig	30. SB 262-Munzlinger
13. SB 62-Hegeman	31. SB 213-Rowden, with SCS
14. SBs 314 & 340-Schatz and Nasheed, with SCS	32. SB 123-Munzlinger
15. SB 34-Cunningham	33. SB 283-Hegeman
16. SB 65-Schatz	34. SB 284-Hegeman, with SCS
17. SB 185-Onder, et al, with SCS	35. SB 124-Wasson
18. SB 10-Wasson and Richard, with SCS	36. SB 35-Cunningham
	37. SB 114-Schatz

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|-----------------------------------|---------------------------------------|
| 38. SB 247-Kraus, with SCS | 58. SB 210-Onder, with SCS |
| 39. SB 325-Kraus | 59. SB 220-Riddle, with SCS |
| 40. SBs 285 & 17-Koenig, with SCS | 60. SB 97-Sater, with SCS |
| 41. SB 160-Sater, with SCS | 61. SB 176-Dixon |
| 42. SB 41-Wallingford and Emery | 62. SB 13-Dixon |
| 43. SB 67-Onder, et al | 63. SB 177-Dixon, with SCS |
| 44. SB 195-Koenig | 64. SB 68-Onder and Nasheed |
| 45. SB 18-Kraus | 65. SB 126-Wasson |
| 46. SB 290-Schatz, with SCS | 66. SB 221-Riddle |
| 47. SB 330-Munzlinger | 67. SB 83-Dixon |
| 48. SBs 44 & 63-Romine, with SCS | 68. SB 99-Emery |
| 49. SB 328-Romine, with SCS | 69. SB 171-Dixon and Sifton, with SCS |
| 50. SB 188-Munzlinger, with SCS | 70. SB 158-Dixon |
| 51. SB 102-Cunningham, with SCS | 71. SB 157-Dixon, with SCS |
| 52. SB 303-Wieland, with SCS | 72. SB 81-Dixon |
| 53. SB 49-Walsh, with SCS | 73. SB 178-Dixon |
| 54. SB 147-Romine | 74. SB 204-Sifton |
| 55. SJR 9-Romine, with SCS | 75. SB 84-Kraus, with SCS |
| 56. SB 122-Munzlinger, with SCS | 76. SB 163-Romine |
| 57. SB 227-Koenig, with SCS | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 21-Brown

CONSENT CALENDAR

Senate Bills

Reported 2/16

- | | |
|-------------------------------------|-----------------------------------|
| SB 309-Walsh and Onder, with SCS | SB 326-Kraus |
| SB 229-Riddle, with SCS | SB 275-Wieland |
| SB 50-Walsh | SB 376-Hoskins |
| SB 194-Wallingford | SB 252-Dixon, with SCS |
| SB 25-Curls | SB 128-Dixon, with SCS |
| SB 225-Schatz | SB 129-Dixon and Sifton, with SCS |
| SB 322-Wieland and Romine, with SCS | SB 142-Emery |
| SB 217-Nasheed, with SCS | SB 299-Curls |
| SB 88-Brown, with SCS | |

RESOLUTIONS

SR 197-Richard

To be Referred

SCR 18-Wallingford

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SIXTH DAY—MONDAY, FEBRUARY 20, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let us with caution indulge the supposition that morality can be maintained without religion. Reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.” (George Washington)

Almighty God, on this presidents’ day we are mindful that You led the minds, hearts and spirits of those who fought for and formulated the constitution and its principles that would bring forth a new nation. Their acknowledging of Your guidance in their lives and their willingness to embrace the need of religious principles to guide the nation has continued to help us in our deliberations and the laws we pass. We are grateful that You have set down in Your word what is needful by us so we too might be faithful and connected to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 16, 2017 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Koenig offered Senate Resolution No. 274, regarding Nancy McCarthy, which was adopted.

Senator Wieland offered Senate Resolution No. 275, regarding Erica Schreder, Imperial, which was adopted.

Senator Wieland offered Senate Resolution No. 276, regarding Kyla Greenlee, De Soto, which was adopted.

Senator Wieland offered Senate Resolution No. 277, regarding Shelby Meyer, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 278, regarding Lindsey Rich, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 279, regarding Madalyn Michael, Imperial, which was adopted.

Senator Wieland offered Senate Resolution No. 280, regarding Trisha Gaylord, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 281, regarding Emma Grimshaw, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 282, regarding Jena Otec, Crystal City, which was adopted.

Senator Wieland offered Senate Resolution No. 283, regarding Caly Otec, Crystal City, which was adopted.

Senator Wieland offered Senate Resolution No. 284, regarding Elle Russell, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 285, regarding Carley Nicholson, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 286, regarding Kaylee Portell, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 287, regarding Julia Houston, Imperial, which was adopted.

Senator Wieland offered Senate Resolution No. 288, regarding Aubrie Harris, Crystal City, which was adopted.

Senator Wieland offered Senate Resolution No. 289, regarding Sarah Wilson, Festus, which was adopted.

Senator Wieland offered Senate Resolution No. 290, regarding Dustin Cutts, Hazelwood, which was adopted.

Senator Wieland offered Senate Resolution No. 291, regarding Shannon Leftridge, Hazelwood, which was adopted.

Senator Wieland offered Senate Resolution No. 292, regarding Molly Keeven, Saint Louis, which was adopted.

Senator Wieland offered Senate Resolution No. 293, regarding the 2016 Class 2 State Champion Saint Pius X High School volleyball program, Jefferson County, which was adopted.

Senator Sater offered Senate Resolution No. 294, regarding Dennis Pyle, which was adopted.

Senator Sater offered Senate Resolution No. 295, regarding Derek Shawn Cooper, which was adopted.

Senator Sater offered Senate Resolution No. 296, regarding Robert Berger, which was adopted.

Senator Hegeman offered Senate Resolution No. 297, regarding Randy Huffman, Galt, which was adopted.

Senator Sater offered Senate Resolution No. 298, regarding the McDonald County Telephone Company, Pineville, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 437—By Holsman.

An Act to repeal section 115.436, RSMo, and to enact in lieu thereof one new section relating to the use of voting machines by blind or visually impaired voters.

SB 438—By Holsman.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to the designation of February as earthquake awareness month.

SB 439—By Riddle.

An Act to repeal section 301.074, RSMo, and to enact in lieu thereof one new section relating to disabled veteran license plates.

SB 440—By Brown.

An Act to repeal section 172.287, RSMo, and to enact in lieu thereof one new section relating to engineering equipment grants at the University of Missouri.

SB 441—By Hegeman.

An Act to repeal sections 169.324 and 169.560, RSMo, and to enact in lieu thereof two new sections relating to school employee retirement systems.

SB 442—By Hegeman.

An Act to repeal section 49.020, 67.617, and 71.015, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

SB 443—By Chappelle-Nadal.

An Act to repeal section 287.430, RSMo, and to enact in lieu thereof one new section relating to the statute of limitations for certain claims under workers' compensation laws.

SB 444—By Rowden.

An Act to amend chapters 143 and 443, RSMo, by adding thereto seven new sections relating to tax incentives for first-time home buyers.

SB 445—By Rowden.

An Act to repeal sections 313.905, 313.915, 313.920, 313.925, 313.935, 313.940, 313.945, 313.950, and 313.955, RSMo, and to enact in lieu thereof ten new sections relating to fantasy sports.

SB 446—By Rowden.

An Act to amend chapter 273, RSMo, by adding thereto one new section relating to dogs.

SB 447—By Rowden.

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof one new section relating to the division of professional registration.

REFERRALS

President Pro Tem Richard referred **SCR 18** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 57**, entitled:

An Act to repeal sections 557.035, 565.023, 565.024, 565.027, 569.100, 569.120, 569.140, 571.030, and 574.050, RSMo, and to enact in lieu thereof nine new sections relating to penalty enhancements for certain offenses, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 302 & 228**, entitled:

An Act to amend chapter 650, RSMo, by adding thereto two new sections relating to law enforcement officers, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 230**, entitled:

An Act to repeal sections 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, and 329.130, RSMo, and to enact in lieu thereof twelve new sections relating to the board of cosmetology and barber examiners.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 126**, entitled:

An Act to repeal sections 34.203, 34.206, 34.209, 34.212, 34.216, and 34.217, RSMo, and to enact in lieu thereof six new sections relating to public contracts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 113**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 113**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 113

An Act to repeal section 287.780, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

Was taken up.

Senator Schatz moved that **SCS** for **SB 113** be adopted.

Senator Schatz offered **SS** for **SCS** for **SB 113**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 113

An Act to repeal sections 287.120, 287.140, 287.170, and 287.780, RSMo, and to enact in lieu thereof four new sections relating to workers' compensation, with an existing penalty provision.

Senator Schatz moved that **SS** for **SCS** for **SB 113** be adopted.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Section 287.120, Pages 1-5, by striking said section.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaaf requested a roll call vote be taken. He was joined in his request by Senators Chappelle-Nadal, Holsman, Hummel and Schupp.

At the request of Senator Schaaf, **SA 1** was withdrawn.

Senator Holsman offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Lines 7-8, by striking “forty-eight hours of the injury” and inserting in lieu thereof “**eight hours of the notification of the injury to the employer**”.

Senator Holsman moved that the above amendment be adopted.

Senator Hegeman offered **SSA 1** for **SA 2**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Line 7, by striking the word “forty-eight” and inserting in lieu thereof the following: “**twenty-four**”.

Senator Hegeman moved that the above substitute amendment be adopted.

At the request of Senator Hegeman, the above substitute amendment was withdrawn.

Senator Schaaf offered **SSA 2** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 2 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Lines 7-8, by striking “forty-eight hours of the injury” and inserting in lieu thereof “**eight hours of the injury**”.

Senator Schaaf moved that the above substitute amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Hummel, Schatz and Walsh.

SSA 2 for **SA 2** failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

SA 2 was again taken up.

At the request of Senator Holsman, **SA 2** was withdrawn.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Schatz offered **SA 3**, which was read:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Line 7, by striking the word “forty-eight” and inserting in lieu thereof the following: “**twenty-four**”.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Schatz, **SB 113**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
February 16, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Lieutenant Colonel Sandra K. Karsten, 4911 Wardsville Road, Jefferson City, Cole County, Missouri 65101, as Superintendent of the Missouri State Highway Patrol, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointment to the Committee on Gubernatorial Appointments.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 85**, entitled:

An Act to repeal section 304.022, RSMo, and to enact in lieu thereof one new section relating to public utility vehicles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 427**, entitled:

An Act to repeal sections 456.4-414 and 456.4-420, RSMo, and to enact in lieu thereof two new sections relating to trust instruments.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 336**, entitled:

An Act to repeal section 376.620, RSMo, and to enact in lieu thereof one new section relating to life insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 58**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to perinatal care.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 422**, entitled:

An Act to repeal sections 513.430 and 513.440, RSMo, and to enact in lieu thereof two new sections relating to property exempt from execution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HBs 337, 259 & 575**, entitled:

An Act to repeal sections 375.1025, 375.1052, 375.1053, and 375.1056, RSMo, and to enact in lieu thereof fourteen new sections relating to financial accreditation standards for insurance companies, with a delayed effective date and a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF GUESTS

Senator Walsh introduced to the Senate, Eagle Scout Brandon Wheeler, and Betty and Christine Wheeler, St. Louis County.

Senator Kehoe introduced to the Senate, Haley Braun, Jefferson City.

Senator Schatz introduced to the Senate, Eagle Scout Aaron Knotts, and Don, Laura, Sam and Isaiah Knotts, Pacific; and Wayne and Mary Schafer, Sullivan.

On behalf of Senators Emery, Hegeman, Hoskins, Onder, Riddle, Richard, Rowden, Sater, Schaaf, Wallingford, Wasson and himself, Senator Munzlinger introduced to the Senate, Matthew Bippes, Shane Carroll, Madelyn Derks, Alyssa Engeman, Rachel Grubbs, Kyle Hansen, Anna Link, Emily McCann, Reed Niemeyer, Mckell Norris, Ashlyn Peterson, Hannah Rockers, Abby Schmidt, Heather Snow and Lora Wright, 2017 4-H Legislative Academy Delegates.

Senator Curls introduced to the Senate, former President of the Colorado State Senate, Senator Peter Groff.

Senator Brown introduced to the Senate, Eagle Scout Jeremy Dalton, and his father, Richard, Rolla.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 21, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 423-Sater	SB 436-Curls
SB 424-Holsman	SB 437-Holsman
SB 425-Sifton	SB 438-Holsman
SB 426-Wasson	SB 439-Riddle
SB 427-Wasson	SB 440-Brown
SB 428-Eigel	SB 441-Hegeman
SB 429-Rowden	SB 442-Hegeman
SB 430-Cunningham	SB 443-Chappelle-Nadal
SB 431-Emery	SB 444-Rowden
SB 432-Koenig	SB 445-Rowden
SB 433-Sater	SB 446-Rowden
SB 434-Sater	SB 447-Rowden
SB 435-Cunningham	

HOUSE BILLS ON SECOND READING

HCS for HB 57	HB 126-Vescovo
HCS for HBs 302 & 228	HB 85-Redmon
HCS for HB 230	HCS for HB 427

HB 336-Shull
HB 58-Haefner

HCS for HB 422
HCS for HBs 337, 259 & 575

THIRD READING OF SENATE BILLS

SB 45-Romine

SENATE BILLS FOR PERFECTION

- | | |
|---|-----------------------------------|
| 1. SBs 37 & 244-Silvey, with SCS | 34. SB 124-Wasson |
| 2. SB 74-Schaaf, with SCS | 35. SB 35-Cunningham |
| 3. SB 43-Romine, with SCS | 36. SB 114-Schatz |
| 4. SB 66-Schatz, with SCS | 37. SB 247-Kraus, with SCS |
| 5. SB 189-Kehoe, with SCS | 38. SB 325-Kraus |
| 6. SB 28-Sater, with SCS | 39. SBs 285 & 17-Koenig, with SCS |
| 7. SB 139-Sater, with SCS | 40. SB 160-Sater, with SCS |
| 8. SB 20-Brown | 41. SB 41-Wallingford and Emery |
| 9. SB 6-Richard, with SCS | 42. SB 67-Onder, et al |
| 10. SB 11-Wasson, with SCS | 43. SB 195-Koenig |
| 11. SB 228-Koenig | 44. SB 18-Kraus |
| 12. SB 62-Hegeman | 45. SB 290-Schatz, with SCS |
| 13. SBs 314 & 340-Schatz and Nasheed,
with SCS | 46. SB 330-Munzlinger |
| 14. SB 34-Cunningham | 47. SBs 44 & 63-Romine, with SCS |
| 15. SB 65-Schatz | 48. SB 328-Romine, with SCS |
| 16. SB 185-Onder, et al, with SCS | 49. SB 188-Munzlinger, with SCS |
| 17. SB 10-Wasson and Richard, with SCS | 50. SB 102-Cunningham, with SCS |
| 18. SB 199-Wasson | 51. SB 303-Wieland, with SCS |
| 19. SB 349-Wasson | 52. SB 49-Walsh, with SCS |
| 20. SB 293-Romine | 53. SB 147-Romine |
| 21. SB 190-Emery and Nasheed, with SCS | 54. SJR 9-Romine, with SCS |
| 22. SB 184-Emery | 55. SB 122-Munzlinger, with SCS |
| 23. SB 22-Chappelle-Nadal | 56. SB 227-Koenig, with SCS |
| 24. SB 32-Emery, with SCS | 57. SB 210-Onder, with SCS |
| 25. SB 258-Munzlinger | 58. SB 220-Riddle, with SCS |
| 26. SB 259-Munzlinger | 59. SB 97-Sater, with SCS |
| 27. SB 260-Munzlinger | 60. SB 176-Dixon |
| 28. SB 261-Munzlinger | 61. SB 13-Dixon |
| 29. SB 262-Munzlinger | 62. SB 177-Dixon, with SCS |
| 30. SB 213-Rowden, with SCS | 63. SB 68-Onder and Nasheed |
| 31. SB 123-Munzlinger | 64. SB 126-Wasson |
| 32. SB 283-Hegeman | 65. SB 221-Riddle |
| 33. SB 284-Hegeman, with SCS | 66. SB 83-Dixon |
| | 67. SB 99-Emery |

68. SB 171-Dixon and Sifton, with SCS
69. SB 158-Dixon
70. SB 157-Dixon, with SCS
71. SB 81-Dixon

72. SB 178-Dixon
73. SB 204-Sifton
74. SB 84-Kraus, with SCS
75. SB 163-Romine

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
SB 21-Brown

SB 113-Schatz, with SCS & SS for SCS
(pending)

CONSENT CALENDAR

Senate Bills

Reported 2/16

SB 309-Walsh and Onder, with SCS
SB 229-Riddle, with SCS
SB 50-Walsh
SB 194-Wallingford
SB 25-Curls
SB 225-Schatz
SB 322-Wieland and Romine, with SCS
SB 217-Nasheed, with SCS
SB 88-Brown, with SCS

SB 326-Kraus
SB 275-Wieland
SB 376-Hoskins
SB 252-Dixon, with SCS
SB 128-Dixon, with SCS
SB 129-Dixon and Sifton, with SCS
SB 142-Emery
SB 299-Curls

RESOLUTIONS

SR 197-Richard

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-SEVENTH DAY—TUESDAY, FEBRUARY 21, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“I will wait patiently for the Lord; He inclines to me and heard my cries.” (Psalm 40:1)

Almighty God, You know us and listen to our cries and offer to mend our brokenness. As we gather together with others who may see life differently teach us to model Your grace so we may release grievances and be reconciled with one another, so that we may live the life of promise which You have offered and truly be Your servants. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 299, regarding Samantha Gunn, Jefferson City, which was

adopted.

Senator Kehoe offered Senate Resolution No. 300, regarding Zachary Estes, Stover, which was adopted.

Senator Kehoe offered Senate Resolution No. 301, regarding Hope Heimsoth, Versailles, which was adopted.

Senator Kehoe offered Senate Resolution No. 302, regarding Quinton Ryerson, Versailles, which was adopted.

Senator Richard offered Senate Resolution No. 303, regarding Dr. Delores Honey, Carthage, which was adopted.

Senator Dixon offered Senate Resolution No. 304, regarding Randy Carpenter, Springfield, which was adopted.

Senator Rowden offered the following resolution:

SENATE RESOLUTION NO. 305

Whereas, Missouri residents with disabilities deserve the same choice of where, how, and with whom they work and spend their time as other Missouri residents; and

Whereas, Missouri sheltered workshops, in partnership with local businesses and industries, are an integral part of their local communities and economies; and

Whereas, programs and employment offered by Missouri sheltered workshops through projects contracted at their facilities, supported enclaves, contracts with Missouri rest stops, employment through AbilityOne contracts, and through independent work assignments provide Missouri residents with disabilities the opportunity to meet new people, gain new skills, and earn the respect, dignity, and ancillary human benefits that come with earning a paycheck and contributing to society; and

Whereas, approximately 6,400 Missouri residents with disabilities avail themselves of the opportunity to participate in these programs and related employment; and

Whereas, the parents, guardians, and caregivers of many of these participants support and attest to the benefits of those programs and the employment provided under those programs; and

Whereas, individuals with disabilities should be free to choose the settings in which they receive services or employment, including programs and employment offered by Missouri sheltered workshops; and

Whereas, Missouri residents with disabilities have a vested interest in choosing the type of employment that best suits their needs and each resident and that resident's family or caregiver deserves the State's support in maintaining that choice and continuing to allow an array of services and employment options that best suit that individual:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session hereby reaffirm Missouri's support of the services of Missouri sheltered workshops; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Assistant Commissioner of the Office of Special Education in the Department of Elementary and Special Education and the President of the Missouri Association of Sheltered Workshop Managers.

Senator Silvey offered Senate Resolution No. 306, regarding Eagle Scout Preston Dowden Wheeler, Kansas City, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 448—By Emery.

An Act to repeal sections 536.017, 536.063, 536.085, 536.087, and 536.140, RSMo, and to enact in lieu thereof six new sections relating to administrative law procedures.

SB 449—By Wieland.

An Act to repeal section 68.045, RSMo, and to enact in lieu thereof one new section relating to port authorities.

SB 450—By Wieland.

An Act to repeal sections 333.330, 436.405, 436.430, 436.450, 436.455, 436.456, 436.457, and 436.460, RSMo, and to enact in lieu thereof eight new sections relating to preneed funeral contracts.

SB 451—By Nasheed.

An Act to repeal section 57.450, RSMo, and to enact in lieu thereof one new section relating to the office of sheriff of the city of St. Louis.

SB 452—By Hoskins.

An Act to amend chapter 313, RSMo, by adding thereto four new sections relating to video lottery.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

Senator Kehoe announced photographers from the Springfield News-Leader were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 307, regarding Brenna Heavin, Rolla, which was adopted.

Senator Sater offered Senate Resolution No. 308, regarding Brian Anton, which was adopted.

Senator Libla offered Senate Resolution No. 309, regarding the One Hundredth Anniversary of the Southeast Missouri Chapter of the American Red Cross, which was adopted.

Senator Sater offered Senate Resolution No. 310, regarding Brad Boettler, which was adopted.

Senator Sater offered Senate Resolution No. 311, regarding Kim McCully-Mobley, which was adopted.

Senator Sater offered Senate Resolution No. 312, regarding Community Presbyterian Church, Forsyth, which was adopted.

Senator Sater offered Senate Resolution No. 313, regarding Dean Burton, which was adopted.

Senator Sater offered Senate Resolution No. 314, regarding the Ninetieth Birthday of Dorothy Osterloh, which was adopted.

Senator Sater offered Senate Resolution No. 315, regarding the Sixty-fifth Anniversary of Jack and Norma Blevins, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 316, regarding the Ninety-ninth Birthday of Ruby Moore, Kimberling City, which was adopted.

Senator Sater offered Senate Resolution No. 317, regarding Joshelle Hargus, Aurora, which was

adopted.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 113**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SCS** for **SB 113** was again taken up.

Senator Munzlinger offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 2, Section 287.120, Lines 7-8 of said page, by striking “his wife, her husband” and inserting in lieu thereof **“the employee’s spouse”**; and

Further amend said bill and section, Page 5, Line 15 of said page, by inserting after all of said line the following:

“11. The provisions of subsections 1 and 2 of this section shall apply to any case or causes of action pending on or brought on or after January 1, 2014, regardless of the date of injury or exposure.”

President Pro Tem Richard assumed the Chair.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 15, Section 287.170, Line 11 of said page, by inserting after all of said line the following:

“287.243. 1. This section shall be known and may be cited as the “Line of Duty Compensation Act”.

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) **“Air ambulance pilot”**, a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;

(2) **“Air ambulance registered professional nurse”**, a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) **“Child”**, any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter who, at the time of the law enforcement officer’s, emergency medical technician’s, air ambulance pilot’s, air ambulance registered professional nurse’s, or firefighter’s fatality is:

(a) Eighteen years of age or under;

(b) Over eighteen years of age and a student as defined in section 8101 of title 5, United States Code; or

(c) Over eighteen years of age and incapable of self-support because of physical or mental disability;

(4) “Emergency medical technician”, a person licensed in emergency medical care in accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

[(4)] (5) “Firefighter”, any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

[(5)] (6) “Killed in the line of duty”, when any person defined in this section loses his or her life when:

(a) Death is caused by an accident or the willful act of violence of another;

(b) The law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is in the active performance of his or her duties in his or her respective profession and there is a relationship between the accident or commission of the act of violence and the performance of the duty, even if the individual is off duty; the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is traveling to or from employment; or the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is taking any meal break or other break which takes place while that individual is on duty;

(c) Death is the natural and probable consequence of the injury; and

(d) Death occurs within three hundred weeks from the date the injury was received.

The term excludes death resulting from the willful misconduct or intoxication of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. The division of workers’ compensation shall have the burden of proving such willful misconduct or intoxication;

[(6)] (7) “Law enforcement officer”, any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person’s life;

[(7)] (8) “Local governmental entity”, includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

[(8)] (9) “State”, the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

[(9)] (10) “Volunteer firefighter”, a person having principal employment other than as a firefighter, but

who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed [by the estate of] **by survivors of** the deceased with the division of workers' compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Any compensation awarded under the provisions of this section shall be distributed as follows:

(1) If there is no child who survived the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, to the surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter;

(2) If there is at least one child who survived the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, and a surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, fifty percent to the surviving child, or children, in equal shares, and fifty percent to the surviving spouse;

(3) If there is no surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, to the surviving child, or children, in equal shares;

(4) If there is no surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter and no surviving child:

(a) To the surviving individual, or individuals, in shares per the designation or, otherwise, in equal shares, designated by the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter to receive benefits under this subsection in the most recently executed designation of beneficiary of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter on file at the time of death with the public safety agency, organization, or unit; or

(b) If there is no individual qualifying under paragraph (a), to the surviving individual, or individuals, in equal shares, designated by the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter to receive benefits under the most recently executed life insurance policy of the law enforcement officer, emergency

medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter on file at the time of death with the public safety agency, organization, or unit;

(5) If there is no individual qualifying under subdivisions (1), (2), (3), or (4) of this subsection, to the surviving parent, or parents, in equal shares, of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter; or

(6) If there is no individual qualifying under subdivisions (1), (2), (3), (4), or (5) of this subsection, to the surviving individual, or individuals, in equal shares, who would otherwise qualify under the definition of the term “child” but for his or her age.

5. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers' compensation shall make an investigation for substantiation of matters set forth in the application.

[5.] **6.** The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

[6.] **7.** Neither employers nor workers' compensation insurers shall have subrogation rights against any compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable attorney's fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

[7.] **8.** Any person seeking compensation under this section who is aggrieved by the decision of the division of workers' compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

[8.] **9.** Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after June 19, 2019, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

[9.] 10. The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

[10.] 11. There is hereby created in the state treasury the “Line of Duty Compensation Fund”, which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

[11.] 12. The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid and void. “; and

Further amend the title and enacting clause accordingly.

President Parson assumed the Chair.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered SA 6:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 15, Section 287.170, Line 11 of said page, by inserting after all of said line the following:

“287.430. Except for a claim for recovery filed against the second injury fund **a claim based on any injury caused by exposure to radiological materials or equipment**, no proceedings for compensation under this chapter shall be maintained unless a claim therefor is filed with the division within two years after the date of injury or death, or the last payment made under this chapter on account of the injury or death, except that if the report of the injury or the death is not filed by the employer as required by section 287.380, the claim for compensation may be filed within three years after the date of injury, death, or last payment made under this chapter on account of the injury or death. The filing of any form, report, receipt, or agreement, other than a claim for compensation, shall not toll the running of the periods of limitation provided in this section. The filing of the report of injury or death three years or more after the date of injury, death, or last payment made under this chapter on account of the injury or death, shall not toll the running of the periods of limitation provided in this section, nor shall such filing reactivate or revive the period of time in which a claim may be filed. A claim against the second injury fund shall be filed within

two years after the date of the injury or within one year after a claim is filed against an employer or insurer pursuant to this chapter, whichever is later. **A claim based on any injury caused by exposure to radiological materials or equipment shall be filed within thirty years after the date of the injury.** all other respects the limitations shall be governed by the law of civil actions other than for the recovery of real property, but the appointment of a conservator shall be deemed the termination of the legal disability from minority or disability as defined in chapter 475. The statute of limitations contained in this section is one of extinction and not of repose.”; and

Further amend the title and enacting clause accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Hummel, Rizzo, Sifton and Walsh.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Wallingford	Wieland—21

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—1

Senator Holsman offered **SA 7**, which was read:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 4, Section 287.120, Line 11, by inserting after the word “presumption.” the following: **“The term “nonprescribed controlled drug” shall not include marijuana as that word is defined in section 195.010.”.**

Senator Holsman moved that the above amendment be adopted.

At the request of Senator Holsman, **SA 7** was withdrawn.

Senator Sifton offered **SA 8**:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 9, Section 287.140, Lines 10-11, by striking all of the underlined language; and

Further amend said bill, page 15, section 287.170, lines 4-11 by striking all of said lines; and further amend said bill and page, section 287.780 by striking all of said section and inserting in lieu thereof the following:

“287.780. No employer or agent shall discharge or [in any way] discriminate against any employee for exercising any of his **or her** rights under this chapter **when the exercising of such rights is the contributing factor in the discharge or discrimination**. Any employee who has been discharged or discriminated against **in such manner** shall have a civil action for damages against his **or her** employer.”.

Senator Sifton moved that the above amendment be adopted.

Senator Sifton offered **SSA 1** for **SA 8**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 8

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 9, Section 287.140, Lines 10-11, by striking all of the underlined language; and

Further amend said bill, page 15, section 287.170, lines 4-11 by striking all of said lines; and further amend said bill and page, section 287.780 by striking all of said section and inserting in lieu thereof the following:

“287.780. No employer or agent shall discharge or [in any way] discriminate against any employee for exercising any of his **or her** rights under this chapter **when the exercising of such rights is the motivating factor in the discharge or discrimination**. Any employee who has been discharged or discriminated against **in such manner** shall have a civil action for damages against his **or her** employer.”.

Senator Sifton moved that the above substitute amendment be adopted.

Senator Sifton offered **SA 1** to **SSA 1** for **SA 8**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 8

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 8 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 1, Line 13, by inserting after the word “employer.” the following: “**The general assembly hereby expressly abrogates by this statute the decision of McBryde v. Ritenour School District, 207 S.W.3d 162 (Mo. App. E.D. 2006) and its progeny as it relates to whether or not the motivating factor standard is equivalent to the contributing factor standard.**”.

Senator Sifton moved that the above amendment be adopted.

At the request of Senator Sifton, **SA 8** was withdrawn, rendering **SSA 1** for **SA 8** and **SA 1** to **SSA 1** for **SA 8** moot.

Senator Sifton offered **SA 9**:

SENATE AMENDMENT NO. 9

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 9, Section 287.140, Lines 10-11, by striking all of the underlined language; and

Further amend said bill, page 15, section 287.780, lines 13-20 by striking all of said lines and inserting in lieu thereof the following: “way] discriminate against any employee for exercising any of his **or her** rights under this chapter **when the exercising of such rights is a motivating factor in the discharge or**

discrimination. Any employee who has been discharged or discriminated against **in such manner** shall have a civil action for damages against his **or her** employer. **For purposes of this section, “motivating factor” shall mean that the employee’s exercise of his or her rights under this chapter actually played a role in the discharge or discrimination and motivated the discharge or discrimination.”**

Senator Sifton moved that the above amendment be adopted.

Senator Schatz offered **SA 1 to SA 9:**

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 9

Amend Senate Amendment No. 9 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 1, Line 7, by striking the word “a” and inserting in lieu thereof the following: “**the**”; and further amend line 13 by striking the word “motivated” and inserting in lieu thereof the following: “**had a determinative influence on**”.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Sifton moved that **SA 9**, as amended, be adopted, which motion prevailed.

Senator Walsh offered **SA 10:**

SENATE AMENDMENT NO. 10

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 113, Page 15, Section 287.170, Line 7 of said page, by inserting immediately after the word “employee” the following: “**within a reasonable degree of medical certainty**”.

Senator Walsh moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SS for SCS for SB 113**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SS for SCS for SB 113**, as amended, was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 142**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 88**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 129**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

COMMUNICATIONS

Senator Munzlinger submitted the following:

February 21, 2017

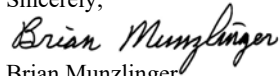
Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse,

Pursuant to Senate Rule 45, I respectfully request that Senate Bill 376 be removed from the consent calendar.

Your assistance in this matter is appreciated.

Sincerely,



Brian Munzlinger

Senator District 18

Senator Schaaf submitted the following:

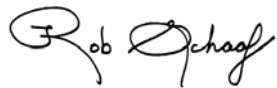
February 21, 2017

Adriane Crouse
Secretary of the Senate
State Capitol, Rm. 325
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Madam Secretary:

Pursuant to Rule 45, I object to the placement of SB 275 on the Senate Consent Calendar and respectfully request it be removed.

Sincerely,



Rob Schaaf

RESOLUTIONS

Senator Libla offered Senate Resolution No. 318, regarding Gunner Smith, which was adopted.

Senator Romine offered Senate Resolution No. 319, regarding Taleasa Berry, which was adopted.

INTRODUCTION OF GUESTS

On behalf of Senator Schupp and himself, Senator Schatz introduced to the Senate, the Physician of the Day, Dr. Ravi S. Johar, and his wife, Kay, Chesterfield.

Senator Hegeman introduced to the Senate, Madelyn Derks, King City.

Senator Cunningham introduced to the Senate, Mike and Michelle Kimrey, Marshfield.

Senator Kehoe introduced to the Senate, Emily Bauwens, Chesterfield; Daven Turner, Spanish Lake; Alex Boedeker, Elsberry; and J. P. Nash, Kirkwood; representatives of the Missouri Alliance of YMCAs.

Senator Holsman introduced to the Senate, Interim President Anthony R. Ross, Metropolitan Community College.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 22, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 423-Sater	HB 438-Holsman
SB 424-Holsman	SB 439-Riddle
SB 425-Sifton	SB 440-Brown
SB 426-Wasson	SB 441-Hegeman
SB 427-Wasson	SB 442-Hegeman
SB 428-Eigel	SB 443-Chappelle-Nadal
SB 429-Rowden	SB 444-Rowden
SB 430-Cunningham	SB 445-Rowden
SB 431-Emery	SB 446-Rowden
SB 432-Koenig	SB 447-Rowden
SB 433-Sater	SB 448-Emery
SB 434-Sater	SB 449-Wieland
SB 435-Cunningham	SB 450-Wieland
SB 436-Curls	SB 451-Nasheed
SB 437-Holsman	SB 452-Hoskins

HOUSE BILLS ON SECOND READING

HCS for HB 57	HCS for HB 427
HCS for HBs 302 & 228	HB 336-Shull
HCS for HB 230	HB 58-Haefner
HB 126-Vescovo	HCS for HB 422
HB 85-Redmon	HCS for HBs 337, 259 & 575

THIRD READING OF SENATE BILLS

SB 45-Romine

SENATE BILLS FOR PERFECTION

1. SBs 37 & 244-Silvey, with SCS
2. SB 74-Schaaf, with SCS
3. SB 43-Romine, with SCS
4. SB 66-Schatz, with SCS
5. SB 189-Kehoe, with SCS
6. SB 28-Sater, with SCS
7. SB 139-Sater, with SCS
8. SB 20-Brown
9. SB 6-Richard, with SCS
10. SB 11-Wasson, with SCS
11. SB 228-Koenig
12. SB 62-Hegeman
13. SBs 314 & 340-Schatz and Nasheed,
with SCS
14. SB 34-Cunningham
15. SB 65-Schatz
16. SB 185-Onder, et al, with SCS
17. SB 10-Wasson and Richard, with SCS
18. SB 199-Wasson
19. SB 349-Wasson
20. SB 293-Romine
21. SB 190-Emery and Nasheed, with SCS
22. SB 184-Emery
23. SB 22-Chappelle-Nadal
24. SB 32-Emery, with SCS
25. SB 258-Munzlinger
26. SB 259-Munzlinger
27. SB 260-Munzlinger
28. SB 261-Munzlinger
29. SB 262-Munzlinger
30. SB 213-Rowden, with SCS
31. SB 123-Munzlinger
32. SB 283-Hegeman
33. SB 284-Hegeman, with SCS
34. SB 124-Wasson
35. SB 35-Cunningham
36. SB 114-Schatz
37. SB 247-Kraus, with SCS
38. SB 325-Kraus
39. SBs 285 & 17-Koenig, with SCS
40. SB 160-Sater, with SCS
41. SB 41-Wallingford and Emery
42. SB 67-Onder, et al
43. SB 195-Koenig
44. SB 18-Kraus
45. SB 290-Schatz, with SCS
46. SB 330-Munzlinger
47. SBs 44 & 63-Romine, with SCS
48. SB 328-Romine, with SCS
49. SB 188-Munzlinger, with SCS
50. SB 102-Cunningham, with SCS
51. SB 303-Wieland, with SCS
52. SB 49-Walsh, with SCS
53. SB 147-Romine
54. SJR 9-Romine, with SCS
55. SB 122-Munzlinger, with SCS
56. SB 227-Koenig, with SCS
57. SB 210-Onder, with SCS
58. SB 220-Riddle, with SCS
59. SB 97-Sater, with SCS
60. SB 176-Dixon
61. SB 13-Dixon
62. SB 177-Dixon, with SCS
63. SB 68-Onder and Nasheed
64. SB 126-Wasson
65. SB 221-Riddle
66. SB 83-Dixon
67. SB 99-Emery
68. SB 171-Dixon and Sifton, with SCS
69. SB 158-Dixon
70. SB 157-Dixon, with SCS
71. SB 81-Dixon
72. SB 178-Dixon
73. SB 204-Sifton
74. SB 84-Kraus, with SCS
75. SB 163-Romine

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 21-Brown

CONSENT CALENDAR

Senate Bills

Reported 2/16

SB 309-Walsh and Onder, with SCS

SB 229-Riddle, with SCS

SB 50-Walsh

SB 194-Wallingford

SB 25-Curls

SB 225-Schatz

SB 322-Wieland and Romine, with SCS

SB 217-Nasheed, with SCS

SB 326-Kraus

SB 252-Dixon, with SCS

SB 128-Dixon, with SCS

SB 299-Curls

RESOLUTIONS

SR 197-Richard

To be Referred

SR 305-Rowden

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Journal of the Senate

FIRST REGULAR SESSION

TWENTY-EIGHTH DAY—WEDNESDAY, FEBRUARY 22, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Happy are they who make the Lord their trust,..” (Psalm 40:4a)

O God, You have shown through the ages that You desire what is best for Your children and teach us to trust always in You. Remind us daily of Your faithfulness so we are never hesitant to call out to You. And Lord, heal our divisions and grant us to be one spirit in serving Your people. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 320, regarding Alex Hall, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 321, regarding the Twenty-fifth Wedding Anniversary of Mike and Becky Cotton, Forest City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 322, regarding Virgil N. Walker, Canton, which was adopted.

Senator Hoskins offered Senate Resolution No. 323, regarding Sky Donovan Roberson, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 324, regarding Imogene Elizabeth Turner Talbert, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 325, regarding Ida M. Harris, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 326, regarding Cecil Henry, Sr., Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 327, regarding Demetrius Leroy James, Jr., Warrensburg, which was adopted.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 453—By Sater.

An Act to repeal section 59.800, RSMo, and to enact in lieu thereof one new section relating to county recording fees.

SB 454—By Hoskins.

An Act to repeal sections 334.700, 334.702, 334.704, 334.706, 334.708, 334.710, 334.712, 334.715, 334.717, 334.719, 334.721, and 334.725, RSMo, and to enact in lieu thereof thirteen new sections relating to the licensure of athletic trainers, with penalty provisions.

SB 455—By Rowden.

An Act to repeal section 334.735, RSMo, and to enact in lieu thereof one new section relating to physician assistants.

SB 456—By Rowden.

An Act to repeal sections 201.030 and 201.040, RSMo, and to enact in lieu thereof three new sections relating to healthcare for persons with disabilities.

SB 457—By Eigel.

An Act to repeal sections 227.290, 230.110, and 230.250, RSMo, and to enact in lieu thereof five new sections relating to the state highway system.

SJR 18—By Curls.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 3 of article XIII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to periodic cost-of-living adjustments appropriated by the general assembly.

REFERRALS

President Pro Tem Richard referred **SR 305** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 113**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

SENATE BILLS FOR PERFECTION

Senator Silvey moved that **SB 37** and **SB 244**, with **SCS**, be taken up for perfection, which motion prevailed.

Senator Silvey requested unanimous consent that he be allowed to live stream his opening remarks, which request was granted.

SCS for **SBs 37** and **244**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 37 and 244**

An Act to repeal sections 302.065, 302.183, and 302.189, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

Was taken up.

Senator Silvey moved that **SCS** for **SBs 37** and **244** be adopted.

Senator Silvey offered **SS** for **SCS** for **SBs 37** and **244**, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 37 & 244**

An Act to repeal sections 302.065, 302.183, and 302.189, RSMo, and to enact in lieu thereof one new section relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

Senator Silvey moved that **SS** for **SCS** for **SBs 37** and **244** be adopted.

Senator Hegeman assumed the Chair.

President Parson assumed the Chair.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 37 and 244, Page 8, Section 302.170, Line 10 of said page, by inserting immediately after said line the following:

“302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license, but not where a license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license. **The department of revenue shall not collect a duplicate license fee for issuance of a REAL ID compliant driver's license or identification card.**”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted.

Senator Riddle assumed the Chair.

At the request of Senator Silvey, **SB 37** and **SB 244**, with **SCS**, **SS** for **SCS**, and **SA 1** (pending), was placed on the Informal Calendar.

President Parson assumed the Chair.

Senator Riddle assumed the Chair.

President Parson assumed the Chair.

Senator Schaaf moved that **SB 74**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 74**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 74

An Act to repeal section 195.050, RSMo, and to enact in lieu thereof twelve new sections relating to a prescription drug monitoring program, with penalty provisions.

Was taken up.

Senator Schaaf moved that **SCS** for **SB 74** be adopted.

Senator Schaaf offered **SS** for **SCS** for **SB 74**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 74

An Act to repeal section 195.050, RSMo, and to enact in lieu thereof twelve new sections relating to a prescription drug monitoring program, with penalty provisions.

Senator Schaaf moved that **SS** for **SCS** for **SB 74** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 74, Page 11, Section 195.459, Line 26, by inserting immediately after the number “195.456,” the following: “**and except for**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 74, Page 6, Section 195.453, Line 9 of said page, by inserting after “PDMP.” the following: “**No vendor that has had any data breach, data compromise, data hack, or any other data insecurity in any database the vendor has run, established, or maintained, either in-state or out-of-state, shall be awarded a contract under this section.**”.

Senator Munzlinger moved that the above amendment be adopted.

Senator Munzlinger offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 74, Page 6, Section 195.453, Line 9 of said page, by inserting after “PDMP.” the following: “**No vendor that has had any data breach, data compromise, data hack, or any other data insecurity in any database the vendor has run, established, or maintained, either in-state or out-of-state, shall be awarded a contract under this section. Any vendor that has been awarded a contract under this section and has any such data breach, compromise, hack, or insecurity of the PDMP it maintains under sections 195.450 to 195.471 shall be in breach of contract and such contract shall be terminated.**”.

Senator Munzlinger moved that the above substitute amendment be adopted, which motion prevailed.

Senator Emery offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 74, Page 12, Section 195.459, Line 26, by inserting after all of said line the following:

“4. All prescribers who choose, or are required, to submit prescription information under the provisions of subsection 5 of section 195.453 shall have a prominently posted sign in bold letters stating “ALL CONTROLLED SUBSTANCE PRESCRIPTIONS SHALL BE REPORTED TO THE BUREAU OF NARCOTICS AND DANGEROUS DRUGS AND SCREENED FOR VIOLATIONS”.”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

Senator Schaaf moved that **SS** for **SCS** for **SB 74**, as amended, be adopted, which motion prevailed.

Senator Schaaf requested a roll call vote be taken on the perfection of **SS** for **SCS** for **SB 74**, as amended, and was joined in his request by Senators Emery, Koenig, Onder and Sifton.

On motion of Senator Schaaf, **SS** for **SCS** for **SB 74**, as amended, was declared perfected and ordered printed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Hegeman	Holsman	Hummel	Kehoe
Libla	Munzlinger	Richard	Riddle	Rizzo	Romine	Rowden
Schaaf	Schatz	Sifton	Silvey	Wallingford	Wasson—20	

NAYS—Senators

Chappelle-Nadal	Curls	Eigel	Emery	Hoskins	Koenig	Kraus
Nasheed	Onder	Sater	Schupp	Walsh	Wieland—13	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

February 21, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Craig D. Frazier, Republican, 704 South Hickory Terrace, Springfield, Greene County, Missouri 65809, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2023, and until his successor is duly appointed and qualified; vice, Lloyd Joseph Carmichael, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

February 21, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carol Silvey, Independent, 1040 Circle Drive, West Plains, Howell County, Missouri 65575, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2023, and until her successor is duly appointed and qualified; vice, Peter W. Hofherr, term expired.

Respectfully submitted,

Eric R. Greitens

Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 328, regarding Saint Louis Treatment Court, which was adopted.

Senator Hegeman offered Senate Resolution No. 329, regarding Jake Wolfe, Smithville, which was adopted.

Senator Hegeman offered Senate Resolution No. 330, regarding Destiny Adams, Kearney, which was adopted.

Senator Kraus offered Senate Resolution No. 331, regarding Sophie Schooley, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 332, regarding Paige Maxwell, Lee's Summit, which was adopted.

Senator Sater offered Senate Resolution No. 333, regarding the One Hundredth Birthday of Elizabeth Bourey, Neosho, which was adopted.

Senator Sater offered Senate Resolution No. 334, regarding Julie Vasquez, which was adopted.

Senator Hegeman offered Senate Resolution No. 335, regarding Karma J. Metzgar, Mound City, which was adopted.

Senator Wallingford offered Senate Resolution No. 336, regarding Kate Zibluk, Cape Girardeau, which was adopted.

Senator Hummel offered Senate Resolution No. 337, regarding Elysse Price, Saint Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 338, regarding Michael J. Pendergast, St. Louis, which was adopted.

INTRODUCTION OF GUESTS

Senator Silvey introduced to the Senate, Janae Staicer, Coro Fellow, St. Louis.

Senator Nasheed introduced to the Senate, Sarah Cornet, Coro Fellow, St. Louis.

Senator Schupp introduced to the Senate, Kevin Hutchins, Coro Fellow, St. Louis.

Senator Eigel introduced to the Senate, Courtney Tine, Tiffany Jackson, Megan Herman, Miriam Wetter, Linda Ponzar, Barbara Kellams and Cherie Posley, representatives of the Missouri Alzheimer's Association, St. Charles County.

Senator Holsman introduced to the Senate, Elizabeth Sellers, Kansas City; and Caroline Allen, Belton.

Senator Libla introduced to the Senate, Jorge Rodriguez, Coro Fellow, Berkeley, California.

Senator Sater introduced to the Senate, Sheila Thomas, Walnut Shade.

Senator Riddle introduced to the Senate, Melanie Cook, Brooke Simpson, Shelby Hall, Alli Fort, Bailey Gorrell, Devin Hopson, Kendall Love and Cynthia Fague.

Senator Riddle introduced to the Senate, Hillary Williams, Mexico.

Senator Schaaf introduced to the Senate, Marci Bennett, St. Joseph.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

TWENTY-NINTH DAY—THURSDAY, FEBRUARY 23, 2017

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 423-Sater
 SB 424-Holsman
 SB 425-Sifton
 SB 426-Wasson
 SB 427-Wasson
 SB 428-Eigel
 SB 429-Rowden
 SB 430-Cunningham
 SB 431-Emery
 SB 432-Koenig
 SB 433-Sater
 SB 434-Sater

SB 435-Cunningham
 SB 436-Curls
 SB 437-Holsman
 SB 438-Holsman
 SB 439-Riddle
 SB 440-Brown
 SB 441-Hegeman
 SB 442-Hegeman
 SB 443-Chappelle-Nadal
 SB 444-Rowden
 SB 445-Rowden
 SB 446-Rowden

SB 447-Rowden
SB 448-Emery
SB 449-Wieland
SB 450-Wieland
SB 451-Nasheed
SB 452-Hoskins

SB 453-Sater
SB 454-Hoskins
SB 455-Rowden
SB 456-Rowden
SB 457-Eigel
SJR 18-Curls

HOUSE BILLS ON SECOND READING

HCS for HB 57
HCS for HBs 302 & 228
HCS for HB 230
HB 126-Vescovo
HB 85-Redmon

HCS for HB 427
HB 336-Shull
HB 58-Haefner
HCS for HB 422
HCS for HBs 337, 259 & 575

THIRD READING OF SENATE BILLS

SB 45-Romine

SS for SCS for SB 113-Schatz

SENATE BILLS FOR PERFECTION

1. SB 43-Romine, with SCS
2. SB 66-Schatz, with SCS
3. SB 189-Kehoe, with SCS
4. SB 28-Sater, with SCS
5. SB 139-Sater, with SCS
6. SB 20-Brown
7. SB 6-Richard, with SCS
8. SB 11-Wasson, with SCS
9. SB 228-Koenig
10. SB 62-Hegeman
11. SBs 314 & 340-Schatz and Nasheed,
 with SCS
12. SB 34-Cunningham
13. SB 65-Schatz
14. SB 185-Onder, et al, with SCS
15. SB 10-Wasson and Richard, with SCS
16. SB 199-Wasson
17. SB 349-Wasson
18. SB 293-Romine
19. SB 190-Emery and Nasheed, with SCS
20. SB 184-Emery

21. SB 22-Chappelle-Nadal
22. SB 32-Emery, with SCS
23. SB 258-Munzlinger
24. SB 259-Munzlinger
25. SB 260-Munzlinger
26. SB 261-Munzlinger
27. SB 262-Munzlinger
28. SB 213-Rowden, with SCS
29. SB 123-Munzlinger
30. SB 283-Hegeman
31. SB 284-Hegeman, with SCS
32. SB 124-Wasson
33. SB 35-Cunningham
34. SB 114-Schatz
35. SB 247-Kraus, with SCS
36. SB 325-Kraus
37. SBs 285 & 17-Koenig, with SCS
38. SB 160-Sater, with SCS
39. SB 41-Wallingford and Emery
40. SB 67-Onder, et al
41. SB 195-Koenig

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|----------------------------------|---------------------------------------|
| 42. SB 18-Kraus | 58. SB 176-Dixon |
| 43. SB 290-Schatz, with SCS | 59. SB 13-Dixon |
| 44. SB 330-Munzlinger | 60. SB 177-Dixon, with SCS |
| 45. SBs 44 & 63-Romine, with SCS | 61. SB 68-Onder and Nasheed |
| 46. SB 328-Romine, with SCS | 62. SB 126-Wasson |
| 47. SB 188-Munzlinger, with SCS | 63. SB 221-Riddle |
| 48. SB 102-Cunningham, with SCS | 64. SB 83-Dixon |
| 49. SB 303-Wieland, with SCS | 65. SB 99-Emery |
| 50. SB 49-Walsh, with SCS | 66. SB 171-Dixon and Sifton, with SCS |
| 51. SB 147-Romine | 67. SB 158-Dixon |
| 52. SJR 9-Romine, with SCS | 68. SB 157-Dixon, with SCS |
| 53. SB 122-Munzlinger, with SCS | 69. SB 81-Dixon |
| 54. SB 227-Koenig, with SCS | 70. SB 178-Dixon |
| 55. SB 210-Onder, with SCS | 71. SB 204-Sifton |
| 56. SB 220-Riddle, with SCS | 72. SB 84-Kraus, with SCS |
| 57. SB 97-Sater, with SCS | 73. SB 163-Romine |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--------------|---------------------------------------|
| SB 5-Richard | SBs 37 & 244-Silvey, with SCS, SS for |
| SB 21-Brown | SCS & SA 1 (pending) |

CONSENT CALENDAR

Senate Bills

Reported 2/16

- | | |
|----------------------------------|-------------------------------------|
| SB 309-Walsh and Onder, with SCS | SB 322-Wieland and Romine, with SCS |
| SB 229-Riddle, with SCS | SB 217-Nasheed, with SCS |
| SB 50-Walsh | SB 326-Kraus |
| SB 194-Wallingford | SB 252-Dixon, with SCS |
| SB 25-Curls | SB 128-Dixon, with SCS |
| SB 225-Schatz | SB 299-Curls |

RESOLUTIONS

- SR 197-Richard

Journal of the Senate

FIRST REGULAR SESSION

TWENTY-NINTH DAY—THURSDAY, FEBRUARY 23, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Protect me, O God, for in You I take refuge. I say to the Lord, You are my Lord: I have no good apart from You.” (Psalm 16:1-2)

O God, we have come to the end of the week of our being here, and as we finish up we are mindful of our relationship with You, for You give us a clear understanding of what You require of us, so let us never let us stray from the path You have put us on. Let us be mindful as we travel home that all the good we have—spouse, children, friends, work and community—come from You and we are to be truly thankful and never stray from You our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 339, regarding Madelyn Hubbs, Bridgeton, which was adopted.

Senator Schupp offered Senate Resolution No. 340, regarding Dan Smith, which was adopted.

Senator Hegeman offered Senate Resolution No. 341, regarding the Sixtieth Anniversary of Deene and Sarah Lawrence, Fairfax, which was adopted.

Senator Hegeman offered Senate Resolution No. 342, regarding Eagle Scout Craig E. Mueller, Kearney, which was adopted.

Senator Wasson offered Senate Resolution No. 343, regarding Eagle Scout Brian Correll, Rogersville, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 458—By Holsman.

An Act to repeal section 393.1075, RSMo, and to enact in lieu thereof one new section relating to energy efficiency, with an existing penalty provision.

SB 459—By Holsman.

An Act to amend chapter 386, RSMo, by adding thereto two new sections relating to energy.

SB 460—By Holsman.

An Act to repeal section 89.330, RSMo, and to enact in lieu thereof one new section relating to planning commissions.

SB 461—By Holsman.

An Act to repeal section 135.710, RSMo, and to enact in lieu thereof one new section relating to tax credits for operating certain alternative fuel refueling properties.

SB 462—By Sifton.

An Act to amend chapter 337, RSMo, by adding thereto fourteen new sections relating to the psychology interjurisdictional compact, with a delayed effective date.

SB 463—By Kehoe.

An Act to repeal section 105.955, RSMo, and to enact in lieu thereof one new section relating to the Missouri ethics commission.

SB 464—By Emery.

An Act to repeal section 162.700, RSMo, and to enact in lieu thereof one new section relating to the early childhood special education program.

SB 465—By Emery.

An Act to repeal sections 473.730, 473.770, 473.771, 475.016, 475.082, 475.083, 475.094, 475.120,

475.123, 475.125, 475.130, 475.145, 475.230, 475.270, 475.276, 475.290, 475.322, and 475.355, RSMo, and to enact in lieu thereof twenty-five new sections relating to guardianship proceedings.

SB 466—By Emery.

An Act to amend chapter 67, RSMo, by adding thereto one new section relating to the prosperity states compact.

SB 467—By Schupp.

An Act to amend chapter 351, RSMo, by adding thereto twelve new sections relating to benefit corporations.

SB 468—By Hegeman.

An Act to repeal sections 536.025, 536.200, and 536.205, RSMo, and to enact in lieu thereof three new sections relating to emergency rules.

SB 469—By Schatz.

An Act to amend chapter 99, RSMo, by adding thereto one new section relating to land clearance projects.

SB 470—By Cunningham.

An Act to repeal section 447.581, RSMo, and to enact in lieu thereof one new section relating to unclaimed property, with penalty provisions.

SB 471—By Hummel.

An Act to repeal section 173.670, RSMo, and to enact in lieu thereof one new section relating to the science, technology, engineering, and mathematics fund.

SB 472—By Hoskins.

An Act to repeal section 144.010, RSMo, and to enact in lieu thereof one new section relating to sales taxes associated with honey bees.

SB 473—By Rowden.

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to a social innovation grant program.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SR 270**, begs leave to report that it has considered the same and recommends that the resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SCS** for **SB 74**, begs leave to report that it has examined the same and finds that the bill has been

truly perfected and that the printed copies furnished the Senators are correct.

Senator Onder, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HB 251**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS for HB 130**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Parson assumed the Chair.

REFERRALS

President Pro Tem Richard referred **SS for SCS for SB 74** to the Committee on Fiscal Oversight.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 423—Seniors, Families and Children.

SB 424—Transportation, Infrastructure and Public Safety.

SB 425—Economic Development.

SB 426—Economic Development.

SB 427—Insurance and Banking.

SB 428—Education.

SB 429—Professional Registration.

SB 430—Insurance and Banking.

SB 431—Education.

SB 432—Seniors, Families and Children.

SB 433—Seniors, Families and Children.

SB 434—Education.

SB 435—Transportation, Infrastructure and Public Safety.

SB 436—Judiciary and Civil and Criminal Jurisprudence.

SB 437—Local Government and Elections.

SB 438—General Laws.

SB 439—Transportation, Infrastructure and Public Safety.

SB 440—Education.

SB 441—Health and Pensions.

SB 442—Local Government and Elections.

SB 443—Small Business and Industry.

SB 444—Ways and Means.

SB 445—Progress and Development.

SB 446—Agriculture, Food Production and Outdoor Resources.

SB 447—Professional Registration.

SB 448—Judiciary and Civil and Criminal Jurisprudence.

SB 449—Transportation, Infrastructure and Public Safety.

SB 450—Insurance and Banking.

SB 451—Transportation, Infrastructure and Public Safety.

SB 452—Economic Development.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 57—Judiciary and Civil and Criminal Jurisprudence.

HCS for HBs 302 & 228—Transportation, Infrastructure and Public Safety.

HCS for HB 230—Professional Registration.

HB 126—General Laws.

HB 85—Transportation, Infrastructure and Public Safety.

HCS for HB 427—Insurance and Banking.

HB 336—Insurance and Banking.

HB 58—Health and Pensions.

HCS for HB 422—Judiciary and Civil and Criminal Jurisprudence.

HCS for HBs 337, 259 & 575—Insurance and Banking.

THIRD READING OF SENATE BILLS

SB 45, introduced by Senator Romine, entitled:

An Act to repeal sections 435.350, 435.355, and 435.440, RSMo, and to enact in lieu thereof three new sections relating to arbitration agreements between employers and at-will employees.

Was taken up.

On motion of Senator Romine, **SB 45** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 113, introduced by Senator Schatz, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 113

An Act to repeal sections 287.120, 287.140, 287.170, 287.243, and 287.780, RSMo, and to enact in lieu thereof five new sections relating to workers' compensation, with an existing penalty provision.

Was taken up.

On motion of Senator Schatz, **SS for SCS for SB 113** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Hoskins offered Senate Resolution No. 344, regarding Helen Charline Harris-Brown, Warrensburg, which was adopted.

Senator Hoskins offered Senate Resolution No. 345, regarding New Beginnings Fellowship, Higginsville, which was adopted.

Senator Hoskins offered Senate Resolution No. 346, regarding Sharron White and Morris Collins, Warrensburg, which was adopted.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, the Physician of the Day, Dr. George Prica, Jr., Columbia.

Senator Munzlinger introduced to the Senate, representatives from the 17th class of Missouri Agricultural Leaders of Tomorrow (ALOT), Bowling Green.

Senator Riddle introduced to the Senate, fourth grade students from Eugene Field Elementary School, Mexico.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, February 27, 2017.

SENATE CALENDAR

THIRTIETH DAY—MONDAY, FEBRUARY 27, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 453-Sater

SB 454-Hoskins

SB 455-Rowden

SB 456-Rowden

SB 457-Eigel

SB 458-Holsman

SB 459-Holsman

SB 460-Holsman

SB 461-Holsman

SB 462-Sifton

SB 463-Kehoe

SB 464-Emery

SB 465-Emery

SB 466-Emery

SB 467-Schupp

SB 468-Hegeman

SB 469-Schatz

SB 470-Cunningham

SB 471-Hummel
SB 472-Hoskins

SB 473-Rowden
SJR 18-Curls

THIRD READING OF SENATE BILLS

SS for SCS for SB 74-Schaaf
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|-----------------------------------|
| 1. SB 43-Romine, with SCS | 31. SB 284-Hegeman, with SCS |
| 2. SB 66-Schatz, with SCS | 32. SB 124-Wasson |
| 3. SB 189-Kehoe, with SCS | 33. SB 35-Cunningham |
| 4. SB 28-Sater, with SCS | 34. SB 114-Schatz |
| 5. SB 139-Sater, with SCS | 35. SB 247-Kraus, with SCS |
| 6. SB 20-Brown | 36. SB 325-Kraus |
| 7. SB 6-Richard, with SCS | 37. SBs 285 & 17-Koenig, with SCS |
| 8. SB 11-Wasson, with SCS | 38. SB 160-Sater, with SCS |
| 9. SB 228-Koenig | 39. SB 41-Wallingford and Emery |
| 10. SB 62-Hegeman | 40. SB 67-Onder, et al |
| 11. SBs 314 & 340-Schatz and Nasheed,
with SCS | 41. SB 195-Koenig |
| 12. SB 34-Cunningham | 42. SB 18-Kraus |
| 13. SB 65-Schatz | 43. SB 290-Schatz, with SCS |
| 14. SB 185-Onder, et al, with SCS | 44. SB 330-Munzlinger |
| 15. SB 10-Wasson and Richard, with SCS | 45. SBs 44 & 63-Romine, with SCS |
| 16. SB 199-Wasson | 46. SB 328-Romine, with SCS |
| 17. SB 349-Wasson | 47. SB 188-Munzlinger, with SCS |
| 18. SB 293-Romine | 48. SB 102-Cunningham, with SCS |
| 19. SB 190-Emery and Nasheed, with SCS | 49. SB 303-Wieland, with SCS |
| 20. SB 184-Emery | 50. SB 49-Walsh, with SCS |
| 21. SB 22-Chappelle-Nadal | 51. SB 147-Romine |
| 22. SB 32-Emery, with SCS | 52. SJR 9-Romine, with SCS |
| 23. SB 258-Munzlinger | 53. SB 122-Munzlinger, with SCS |
| 24. SB 259-Munzlinger | 54. SB 227-Koenig, with SCS |
| 25. SB 260-Munzlinger | 55. SB 210-Onder, with SCS |
| 26. SB 261-Munzlinger | 56. SB 220-Riddle, with SCS |
| 27. SB 262-Munzlinger | 57. SB 97-Sater, with SCS |
| 28. SB 213-Rowden, with SCS | 58. SB 176-Dixon |
| 29. SB 123-Munzlinger | 59. SB 13-Dixon |
| 30. SB 283-Hegeman | 60. SB 177-Dixon, with SCS |
| | 61. SB 68-Onder and Nasheed |

- | | |
|---------------------------------------|----------------------------|
| 62. SB 126-Wasson | 68. SB 157-Dixon, with SCS |
| 63. SB 221-Riddle | 69. SB 81-Dixon |
| 64. SB 83-Dixon | 70. SB 178-Dixon |
| 65. SB 99-Emery | 71. SB 204-Sifton |
| 66. SB 171-Dixon and Sifton, with SCS | 72. SB 84-Kraus, with SCS |
| 67. SB 158-Dixon | 73. SB 163-Romine |

HOUSE BILLS ON THIRD READING

- | | |
|-------------------------|----------------------------------|
| HB 251-Taylor, with SCS | HCS for HB 130, with SCS (Onder) |
|-------------------------|----------------------------------|

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--------------|---|
| SB 5-Richard | SBs 37 & 244-Silvey, with SCS, SS for SCS & |
| SB 21-Brown | SA 1 (pending) |

CONSENT CALENDAR

Senate Bills

Reported 2/16

- | | |
|----------------------------------|-------------------------------------|
| SB 309-Walsh and Onder, with SCS | SB 322-Wieland and Romine, with SCS |
| SB 229-Riddle, with SCS | SB 217-Nasheed, with SCS |
| SB 50-Walsh | SB 326-Kraus |
| SB 194-Wallingford | SB 252-Dixon, with SCS |
| SB 25-Curls | SB 128-Dixon, with SCS |
| SB 225-Schatz | SB 299-Curls |

RESOLUTIONS

SR 197-Richard

Reported from Committee

SR 270-Kraus

✓

Journal of the Senate

FIRST REGULAR SESSION

THIRTIETH DAY—MONDAY, FEBRUARY 27, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“The beginning of wisdom is this: Get wisdom, and whatever else you get, get insight.”(Proverbs 4:1)

Holy Father, You surround us with Your grace, so keep us mindful that our very lives are a gift from You. And You freely give us insight so we may apply wisdom in what we write and share and how we live with others. So in this demanding life keep us from straying from Your wisdom, keeping Your word and serving You with our whole heart in word and deed. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, February 23, 2017 was read and approved.

Senator Kehoe announced photographers from The Missouri Times and KOMU-TV8 were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Dixon—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 347, regarding Lisa A. Baue, which was adopted.

Senator Onder offered Senate Resolution No. 348, regarding Mark Hollander, which was adopted.

Senator Schupp offered Senate Resolution No. 349, regarding Christine Johnston, Creve Coeur, which was adopted.

Senator Schupp offered Senate Resolution No. 350, regarding Jenny Marquart, Webster Groves, which was adopted.

Senator Hummel offered Senate Resolution No. 351, regarding Nick Trupiano, Saint Louis, which was adopted.

Senator Eigel offered Senate Resolution No. 352, regarding William Spalding “Bill” Holtshouser, which was adopted.

Senator Kehoe offered Senate Resolution No. 353, regarding Ken Kuster, Jefferson City, which was adopted.

Senator Hummel offered Senate Resolution No. 354, regarding WUVets, Saint Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 355, regarding Madeline Domian, Fenton, which was adopted.

Senator Wasson offered Senate Resolution No. 356, regarding Meredith Sharp, Springfield, which was adopted.

Senator Wasson offered Senate Resolution No. 357, regarding Haley Farris, Oldfield, which was adopted.

Senator Riddle offered Senate Resolution No. 358, regarding the One Hundred and Fifth Birthday of Velma Fern Barker, Wellsville, which was adopted.

Senator Riddle offered Senate Resolution No. 359, regarding the Fiftieth Wedding Anniversary of Jimmy and Ronda Hays, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 360, regarding Keith Morris, Holts Summit, which was adopted.

Senator Wallingford offered Senate Resolution No. 361, regarding the One Hundredth Birthday of Robert H. Duckworth, Jr., which was adopted.

Senator Libla offered Senate Resolution No. 362, regarding Greg Hill, which was adopted.

Senator Riddle offered Senate Resolution No. 363, regarding Graf & Sons, Mexico, which was adopted.

Senator Schaaf offered Senate Resolution No. 364, regarding Kennedea Caldwell, Houston Lake, which was adopted.

Senator Schaaf offered Senate Resolution No. 365, regarding Carah Sage, Camden Point, which was adopted.

Senator Schaaf offered Senate Resolution No. 366, regarding Madelyn Judah, Parkville, which was adopted.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 474—By Schatz.

An Act to repeal section 302.441, RSMo, and to enact in lieu thereof one new section relating to employment exemption variances in ignition interlock device requirements.

SB 475—By Schatz.

An Act to repeal section 226.095, RSMo, relating to mandatory arbitration in tort claims against the department of transportation.

SB 476—By Schatz.

An Act to repeal sections 162.431 and 167.121, RSMo, and to enact in lieu thereof three new sections relating to travel hardships of public school pupils.

SB 477—By Riddle.

An Act to repeal sections 209.251 and 209.253, RSMo, and to enact in lieu thereof two new sections relating to the statewide telecommunications equipment distribution program.

SB 478—By Silvey and Holsman.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to personal information data of students.

SB 479—By Kraus.

An Act to repeal section 144.044, RSMo, and to enact in lieu thereof one new section relating to sales taxes on the sale of manufactured homes.

SB 480—By Kraus.

An Act to amend chapter 311, RSMo, by adding thereto one new section relating to intoxicating liquor.

SB 481—By Sifton.

An Act to repeal section 287.067, RSMo, and to enact in lieu thereof one new section relating to occupational diseases under worker' compensation laws.

SB 482—By Sifton.

An Act to repeal section 337.503, RSMo, and to enact in lieu thereof one new section relating to licensed professional counselors.

SB 483—By Holsman.

An Act to repeal section 300.295, RSMo, and to enact in lieu thereof one new section relating to railroad grade crossings.

SB 484—By Koenig.

An Act to repeal section 57.010, RSMo, and to enact in lieu thereof one new section relating to the

appointment of sheriffs in the city of St. Louis.

SB 485—By Hoskins.

An Act to repeal section 160.415, RSMo, and to enact in lieu thereof one new section relating to early childhood education funds, with an emergency clause.

SB 486—By Kehoe.

An Act to authorize the conveyance of a certain state property to the city of Jefferson.

SB 487—By Curls.

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to parliamentary law month.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 43**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 43**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 43

An Act to repeal sections 213.010, 213.040, 213.050, 213.055, 213.065, 213.070, 213.075, 213.101, and 213.111, RSMo, and to enact in lieu thereof ten new sections relating to unlawful discriminatory practices.

Was taken up.

Senator Romine moved that **SCS** for **SB 43** be adopted.

Senator Romine offered **SS** for **SCS** for **SB 43**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 43

An Act to repeal sections 213.010, 213.040, 213.050, 213.055, 213.065, 213.070, 213.075, 213.101, and 213.111, RSMo, and to enact in lieu thereof ten new sections relating to unlawful discriminatory practices.

Senator Romine moved that **SS** for **SCS** for **SB 43** be adopted.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 43, Page 3, Section 213.010, Line 9 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity**,”; and further amend line 11 of said page, by inserting after “housing” the following: “. **Discrimination includes any unfair treatment based on a person’s presumed or assumed race, color, religion, national origin, ancestry, sex, sexual orientation, gender identity, age as it relates to employment, disability, or familial status as it relates to housing, whether or not the presumption or assumption as to such characteristics is correct**”; and

Further amend said bill and section, Page 4, Line 28 of said page, by inserting after “(12)” the following: “**“Gender identity”, the gender-related identity, appearance, or mannerisms, or other gender-related**

characteristics of an individual, with or without regard to the individual's designed sex at birth;
(13)"; and

Further amend said bill and section, Page 6, Line 2 of said page, by striking "his" and inserting in lieu thereof the following: "**the proprietor's**"; and further amend Line 28 of said page, by inserting immediately after "(19)" the following: "**Sexual orientation, one's actual or perceived emotional or physical attraction to, or romantic or physical relationships with, members of the same gender, members of a different gender, or members of any gender, or the lack of any emotional or physical attraction to, or romantic or physical relationships with, anyone. The term "sexual orientation" includes a history of such attraction or relationship or a history of no such attraction or relationship;**

(20)"; and further amend said section by renumbering the subdivisions accordingly; and

Further amend said bill and section, Page 7, Line 1 of said page, by inserting after all of said line the following:

"213.030. 1. The powers and duties of the commission shall be:

(1) To seek to eliminate and prevent discrimination because of race, color, religion, national origin, ancestry, sex, **sexual orientation, gender identity**, age as it relates to employment, disability, or familial status as it relates to housing and to take other actions against discrimination because of race, color, religion, national origin, ancestry, sex, **sexual orientation, gender identity**, age, disability, or familial status as provided by law; and the commission is hereby given general jurisdiction and power for such purposes;

(2) To implement the purposes of this chapter first by conference, conciliation and persuasion so that persons may be guaranteed their civil rights and goodwill be fostered;

(3) To formulate policies to implement the purposes of this chapter and to make recommendations to agencies and officers of the state and political subdivisions in aid of such policies and purposes;

(4) To appoint such employees as it may deem necessary, fix their compensation within the appropriations provided and in accordance with the wage structure established for other state agencies, and prescribe their duties;

(5) To obtain upon request and utilize the services of all governmental departments and agencies to be paid from appropriations to this commission;

(6) To adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this chapter and the policies and practices of the commission in connection therewith;

(7) To receive, investigate, initiate, and pass upon complaints alleging discrimination in employment, housing or in places of public accommodations because of race, color, religion, national origin, ancestry, sex, **sexual orientation, gender identity**, age as it relates to employment, disability, or familial status as it relates to housing and to require the production for examination of any books, papers, records, or other materials relating to any matter under investigation;

(8) To hold hearings, subpoena witnesses, compel their attendance, administer oaths, to take the testimony of any person under oath, and, in connection therewith, to require the production for examination of any books, papers or other materials relating to any matter under investigation or in question before the commission;

(9) To issue publications and the results of studies and research which will tend to promote goodwill and minimize or eliminate discrimination in housing, employment or in places of public accommodation because of race, color, religion, national origin, ancestry, sex, **sexual orientation, gender identity**, age as it relates to employment, disability, or familial status as it relates to housing;

(10) To provide each year to the governor and to the general assembly a full written report of all its activities and of its recommendations;

(11) To adopt an official seal;

(12) To cooperate, act jointly, enter into cooperative or work-sharing agreements with the United States Equal Employment Opportunity Commission, the United States Department of Housing and Urban Development, and other federal agencies and local commissions or agencies to achieve the purposes of this chapter;

(13) To accept grants, private gifts, bequests, and establish funds to dispose of such moneys so long as the conditions of the grant, gift, or bequest are not inconsistent with the purposes of this chapter and are used to achieve the purposes of this chapter;

(14) To establish a human rights fund as defined in section 213.010, for the purposes of administering sections 213.040, 213.045, 213.050, 213.070, 213.075, and 213.076.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of [section 536.024] **chapter 536.**"; and

Further amend said bill and page, Section 213.040, Line 6 of said page, by inserting after "sex," the following: "**sexual orientation, gender identity**"; and further amend line 11 of said page, by inserting after "sex," the following: "**sexual orientation, gender identity**"; and further amend line 17 of said page, by inserting after "sex," the following: "**sexual orientation, gender identity**"; and further amend line 21 of said page, by inserting after "sex," the following: "**sexual orientation, gender identity**"; and further amend line 28 of said page, by inserting after "sex," the following: "**sexual orientation, gender identity**"; and

Further amend said bill and section, Page 14, Line 10 of said page, by inserting after all of said line the following:

"213.045. It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance because of race, color, religion, national origin, ancestry, sex, **sexual orientation, gender identity**, disability or familial status to a person applying therefor for the purpose of purchasing, construction, improving, repairing, or maintaining a dwelling, or to discriminate against [him] **such person** in fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, national origin, ancestry, sex, **sexual orientation, gender identity**, disability, or familial status of such person or of any person associated with [him] **such person** in connection with such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants, of the dwellings in relation to which such loan or other financial assistance is to be made or given."; and

Further amend said bill, Page 14, Section 213.050, Line 16 of said page, by inserting after "sex," the following: "**sexual orientation, gender identity**"; and

Further amend said bill, Page 14, Section 213.055, line 19 of said page, by inserting after "sex," the

following: “**sexual orientation, gender identity,**”; and further amend line 23 of said page, by inserting after “his” the following: “**or her**”; and further amend line 25 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 27 of said page, by striking the word “his” as it appears both times on said line and inserting in lieu thereof both times “**such person’s**”; and

Further amend said bill and section, page 15, line 2 of said page, by striking “his” and inserting in lieu thereof the following: “**such person’s**”; and further amend line 3 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 9 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 15 of said page, by striking “his” and inserting in lieu thereof the following: “**such person’s**”; and further amend line 17 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 21 of said page, by striking “his” and inserting in lieu thereof the following: “**such person’s**”; and further amend line 22 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and

Further amend said bill and section, page 16, line 3 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 8 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and line 11 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 21 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 27 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and

Further amend said bill and section, page 17, line 5 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 9 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 15 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and

Further amend said bill, Page 18, Section 213.065, Line 1 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 10 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and

Further amend said bill, Page 19, Section 213.070, Line 1 of said page, by striking the opening bracket “[” from said line; and further amend line 3 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and further amend line 5 of said page, by striking the closing bracket “]” from said line; and

Further amend said bill, Page 26, Section 213.101, Line 24 of said page, by inserting after “sex,” the following: “**sexual orientation, gender identity,**”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted and requested a roll call vote be taken. She was joined in her request by Senators Curls, Rizzo, Sifton and Walsh.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

Senator Holsman offered SSA 1 for SA 1:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 43, Page 3, Section 213.010, Line 9, of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 11 of said page, by inserting after “housing” the following: “**. Discrimination includes any unfair treatment based on a person’s presumed or assumed race, color, religion, national origin, ancestry, sex, status as a veteran, sexual orientation, gender identity, age as it relates to employment, disability, or familial status as it relates to housing, whether or not the presumption or assumption as to such characteristics is correct**”; and

Further amend said bill and section, Page 4, Line 28 of said page, by inserting after “(12)” the following: “**”Gender identity”, the gender-related identity, appearance, or mannerisms, or other gender-related characteristics of an individual, with or without regard to the individual’s designed sex at birth;**

(13)”; and

Further amend said bill and section, Page 6, Line 2 of said page, by striking “his” and inserting in lieu thereof the following: “**the proprietor’s**”; and further amend Line 28 of said page, by inserting immediately after “(19)” the following: “**”Sexual orientation”, one’s actual or perceived emotional or physical attraction to, or romantic or physical relationships with, members of the same gender, members of a different gender, or members of any gender, or the lack of any emotional or physical attraction to, or romantic or physical relationships with, anyone. The term “sexual orientation” includes a history of such attraction or relationship or a history of no such attraction or relationship;**

(20)”; and further amend said section by renumbering the subdivisions accordingly; and

Further amend said bill and section, Page 7, Line 1 of said page, by inserting after the word “chapter” the following:

“**(21) “Veteran”, any individual defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency**”; and further amend said line by inserting after all of said line the following:

“213.030. 1. The powers and duties of the commission shall be:

(1) To seek to eliminate and prevent discrimination because of race, color, religion, national origin, ancestry, sex, **status as a veteran, sexual orientation, gender identity**, age as it relates to employment, disability, or familial status as it relates to housing and to take other actions against discrimination because of race, color, religion, national origin, ancestry, sex, **status as a veteran, sexual orientation, gender identity**, age, disability, or familial status as provided by law; and the commission is hereby given general jurisdiction and power for such purposes;

(2) To implement the purposes of this chapter first by conference, conciliation and persuasion so that persons may be guaranteed their civil rights and goodwill be fostered;

(3) To formulate policies to implement the purposes of this chapter and to make recommendations to agencies and officers of the state and political subdivisions in aid of such policies and purposes;

(4) To appoint such employees as it may deem necessary, fix their compensation within the

appropriations provided and in accordance with the wage structure established for other state agencies, and prescribe their duties;

(5) To obtain upon request and utilize the services of all governmental departments and agencies to be paid from appropriations to this commission;

(6) To adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this chapter and the policies and practices of the commission in connection therewith;

(7) To receive, investigate, initiate, and pass upon complaints alleging discrimination in employment, housing or in places of public accommodations because of race, color, religion, national origin, ancestry, sex, **status as a veteran, sexual orientation, gender identity**, age as it relates to employment, disability, or familial status as it relates to housing and to require the production for examination of any books, papers, records, or other materials relating to any matter under investigation;

(8) To hold hearings, subpoena witnesses, compel their attendance, administer oaths, to take the testimony of any person under oath, and, in connection therewith, to require the production for examination of any books, papers or other materials relating to any matter under investigation or in question before the commission;

(9) To issue publications and the results of studies and research which will tend to promote goodwill and minimize or eliminate discrimination in housing, employment or in places of public accommodation because of race, color, religion, national origin, ancestry, sex, **status as a veteran, sexual orientation, gender identity**, age as it relates to employment, disability, or familial status as it relates to housing;

(10) To provide each year to the governor and to the general assembly a full written report of all its activities and of its recommendations;

(11) To adopt an official seal;

(12) To cooperate, act jointly, enter into cooperative or work-sharing agreements with the United States Equal Employment Opportunity Commission, the United States Department of Housing and Urban Development, and other federal agencies and local commissions or agencies to achieve the purposes of this chapter;

(13) To accept grants, private gifts, bequests, and establish funds to dispose of such moneys so long as the conditions of the grant, gift, or bequest are not inconsistent with the purposes of this chapter and are used to achieve the purposes of this chapter;

(14) To establish a human rights fund as defined in section 213.010, for the purposes of administering sections 213.040, 213.045, 213.050, 213.070, 213.075, and 213.076.

2. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of [section 536.024] **chapter 536.**"; and

Further amend said bill and page, Section 213.040, Line 6 of said page, by inserting after "sex," the following: "**status as a veteran, sexual orientation, gender identity**"; and further amend line 11 of said page, by inserting after "sex," the following: "**status as a veteran, sexual orientation, gender identity**"; and further amend line 17 of said page, by inserting after "sex," the following: "**status as a veteran, sexual orientation, gender identity**"; and further amend line 21 of said page, by inserting after "sex," the following: "**status as a veteran, sexual orientation, gender identity**"; and further amend line 28 of said

page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and

Further amend said bill and section, Page 14, Line 10 of said page, by inserting after all of said line the following:

“213.045. It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance because of race, color, religion, national origin, ancestry, sex, **status as a veteran, sexual orientation, gender identity,** disability or familial status to a person applying therefor for the purpose of purchasing, construction, improving, repairing, or maintaining a dwelling, or to discriminate against [him] **such person** in fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of the race, color, religion, national origin, ancestry, sex, **status as a veteran, sexual orientation, gender identity,** disability, or familial status of such person or of any person associated with [him] **such person** in connection with such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants, of the dwellings in relation to which such loan or other financial assistance is to be made or given.”; and

Further amend said bill, Page 14, Section 213.050, Line 16 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and

Further amend said bill, Page 14, Section 213.055, line 19 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 23 of said page, by inserting after “his” the following: “**or her**”; and further amend line 25 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 27 of said page, by striking the word “his” as it appears both times on said line and inserting in lieu thereof both times “**such person’s**”; and

Further amend said bill and section, page 15, line 2 of said page, by striking “his” and inserting in lieu thereof the following: “**such person’s**”; and further amend line 3 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 9 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 15 of said page, by striking “his” and inserting in lieu thereof the following: “**such person’s**”; and further amend line 17 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 21 of said page, by striking “his” and inserting in lieu thereof the following: “**such person’s**”; and further amend line 22 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and

Further amend bill and section, page 16, line 3 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 8 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and line 11 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 21 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and further amend line 27 of said page, by inserting after “sex,” the following: “**status as a veteran, sexual orientation, gender identity,**”; and

Further amend said bill and section, page 17, line 5 of said page, by inserting after “sex,” the following:

“status as a veteran, sexual orientation, gender identity,”; and further amend line 9 of said page, by inserting after “sex,” the following: **“status as a veteran, sexual orientation, gender identity,”**; and further amend line 15 of said page, by inserting after “sex,” the following: **“status as a veteran, sexual orientation, gender identity,”**; and

Further amend said bill, Page 18, Section 213.065, Line 1 of said page, by inserting after “sex,” the following: **“status as a veteran, sexual orientation, gender identity,”**; and further amend line 10 of said page, by inserting after “sex,” the following: **“status as a veteran, sexual orientation, gender identity,”**; and

Further amend said bill, Page 19, Section 213.070, Line 1 of said page, by striking the opening bracket “[” from said line; and further amend line 3 of said page, by inserting after “sex,” the following: **“status as a veteran, sexual orientation, gender identity,”**; and further amend line 5 of said page, by striking the closing bracket “]” from said line; and

Further amend said bill, Page 26, Section 213.101, Line 24 of said page, by inserting after “sex,” the following: **“status as a veteran, sexual orientation, gender identity,”**; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above substitute amendment be adopted.

Senator Hegeman assumed the Chair.

Senator Schupp requested a roll call vote be taken on the adoption of **SSA 1** for **SA 1**. She was joined in her request by Senators Curls, Holsman, Hummel and Walsh.

SSA 1 for **SA 1** failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Hummel	Nasheed	Rizzo	Rowden	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Sater	Schaaf	Schatz	Wallingford	Wasson	Wieland—21

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senator Dixon—1

Vacancies—1

At the request of Senator Romine, **SB 43**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to

which was referred **SB 242**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 115**, entitled:

An Act to repeal section 311.179, RSMo, and to enact in lieu thereof one new section relating to the sale of intoxicating liquor at an international airport.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 138**, entitled:

An Act to repeal sections 161.670 and 167.121, RSMo, and to enact in lieu thereof two new sections relating to the Missouri course access program, with a delayed effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 662**, entitled:

An Act to amend chapter 281, RSMo, by adding thereto one new section relating to the misuse of herbicides, with penalty provisions and an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 288**, entitled:

An Act to repeal sections 288.036, 288.060, 288.120, 288.122, and 288.330 as enacted by house bill no. 150, ninety-eighth general assembly, first regular session, sections 288.036, 288.120, and 288.122 as enacted by house bill no. 1456, ninety-third general assembly, second regular session, section 288.060 as enacted by house bill no. 163, ninety-sixth general assembly, first regular session, and section 288.330 as enacted by house bill no. 1075, ninety-fifth general assembly, first regular session, and to enact in lieu thereof five new sections relating to employment security.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 655**, entitled:

An Act to repeal sections 135.600 and 135.630, RSMo, and to enact in lieu thereof two new sections relating to tax credits for contributions to maternity homes and pregnancy resource centers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

Jefferson City

65102

February 23, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointment to office made by me and submitted to you on February 8, 2017, for your advice and consent:

Lateacha Tigue, Republican, 5103 Wicklow Place, Saint Louis City, Missouri 63108, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2021, and until her successor is duly appointed and qualified; vice, Al W. Johnson, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI

Jefferson City

65102

February 24, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James Timothy Bean, 3108 Siloam Springs Road, West Plains, Howell County, Missouri 65775, as the Missouri State Fire Marshal, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI

Jefferson City

65102

February 24, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Jerry M. Hunter, Republican, 4545 Forest Park Avenue, Apartment 318, Saint Louis City, Missouri 63108, as a member of the Saint Louis City Board of Election Commissioners, for a term ending January 10, 2021, and until his successor is duly appointed and qualified; vice, Al W. Johnson, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
Jefferson City
65102

February 24, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Randall W. Williams, 321 Marlowe Road, Raleigh, Wake County, North Carolina 27609, as Director of the Department of Health and Senior Services, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 130**, with **SCS**, to the Committee on Fiscal Oversight.

INTRODUCTION OF GUESTS

Senator Cunningham introduced to the Senate, Starr Kohler, Springfield.

Senator Cunningham introduced to the Senate, Stan Coday and Ted Probert, Wright County.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-FIRST DAY—TUESDAY, FEBRUARY 28, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 453-Sater
SB 454-Hoskins
SB 455-Rowden
SB 456-Rowden
SB 457-Eigel

SB 458-Holsman
SB 459-Holsman
SB 460-Holsman
SB 461-Holsman
SB 462-Sifton

SB 463-Kehoe	SB 476-Schatz
SB 464-Emery	SB 477-Riddle
SB 465-Emery	SB 478-Silvey and Holsman
SB 466-Emery	SB 479-Kraus
SB 467-Schupp	SB 480-Kraus
SB 468-Hegeman	SB 481-Sifton
SB 469-Schatz	SB 482-Sifton
SB 470-Cunningham	SB 483-Holsman
SB 471-Hummel	SB 484-Koenig
SB 472-Hoskins	SB 485-Hoskins
SB 473-Rowden	SB 486-Kehoe
SB 474-Schatz	SB 487-Curls
SB 475-Schatz	SJR 18-Curls

HOUSE BILLS ON SECOND READING

HCS for HB 115	HB 288-Fitzpatrick
HCS for HB 138	HB 655-Engler
HCS for HB 662	

THIRD READING OF SENATE BILLS

SS for SCS for SB 74-Schaaf
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| 1. SB 66-Schatz, with SCS | 13. SB 185-Onder, et al, with SCS |
| 2. SB 189-Kehoe, with SCS | 14. SB 10-Wasson and Richard, with SCS |
| 3. SB 28-Sater, with SCS | 15. SB 199-Wasson |
| 4. SB 139-Sater, with SCS | 16. SB 349-Wasson |
| 5. SB 20-Brown | 17. SB 293-Romine |
| 6. SB 6-Richard, with SCS | 18. SB 190-Emery and Nasheed, with SCS |
| 7. SB 11-Wasson, with SCS | 19. SB 184-Emery |
| 8. SB 228-Koenig | 20. SB 22-Chappelle-Nadal |
| 9. SB 62-Hegeman | 21. SB 32-Emery, with SCS |
| 10. SBs 314 & 340-Schatz, et al, with SCS | 22. SB 258-Munzlinger |
| 11. SB 34-Cunningham | 23. SB 259-Munzlinger |
| 12. SB 65-Schatz | 24. SB 260-Munzlinger |

- | | |
|-----------------------------------|---------------------------------------|
| 25. SB 261-Munzlinger | 50. SB 147-Romine |
| 26. SB 262-Munzlinger | 51. SJR 9-Romine, with SCS |
| 27. SB 213-Rowden, with SCS | 52. SB 122-Munzlinger, with SCS |
| 28. SB 123-Munzlinger | 53. SB 227-Koenig, with SCS |
| 29. SB 283-Hegeman | 54. SB 210-Onder, with SCS |
| 30. SB 284-Hegeman, with SCS | 55. SB 220-Riddle, with SCS |
| 31. SB 124-Wasson | 56. SB 97-Sater, with SCS |
| 32. SB 35-Cunningham | 57. SB 176-Dixon |
| 33. SB 114-Schatz | 58. SB 13-Dixon |
| 34. SB 247-Kraus, with SCS | 59. SB 177-Dixon, with SCS |
| 35. SB 325-Kraus | 60. SB 68-Onder and Nasheed |
| 36. SBs 285 & 17-Koenig, with SCS | 61. SB 126-Wasson |
| 37. SB 160-Sater, with SCS | 62. SB 221-Riddle |
| 38. SB 41-Wallingford and Emery | 63. SB 83-Dixon |
| 39. SB 67-Onder, et al | 64. SB 99-Emery |
| 40. SB 195-Koenig | 65. SB 171-Dixon and Sifton, with SCS |
| 41. SB 18-Kraus | 66. SB 158-Dixon |
| 42. SB 290-Schatz, with SCS | 67. SB 157-Dixon, with SCS |
| 43. SB 330-Munzlinger | 68. SB 81-Dixon |
| 44. SBs 44 & 63-Romine, with SCS | 69. SB 178-Dixon |
| 45. SB 328-Romine, with SCS | 70. SB 204-Sifton |
| 46. SB 188-Munzlinger, with SCS | 71. SB 84-Kraus, with SCS |
| 47. SB 102-Cunningham, with SCS | 72. SB 163-Romine |
| 48. SB 303-Wieland, with SCS | 73. SB 242-Emery, with SCS |
| 49. SB 49-Walsh, with SCS | |

HOUSE BILLS ON THIRD READING

HB 251-Taylor, with SCS

HCS for HB 130, with SCS (Onder)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 21-Brown

SBs 37 & 244-Silvey, with SCS, SS for SCS
& SA 1 (pending)

SB 43-Romine, with SCS, SS for SCS &
SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/16

SB 309-Walsh and Onder, with SCS
SB 229-Riddle, with SCS
SB 50-Walsh
SB 194-Wallingford
SB 25-Curls
SB 225-Schatz

SB 322-Wieland and Romine, with SCS
SB 217-Nasheed, with SCS
SB 326-Kraus
SB 252-Dixon, with SCS
SB 128-Dixon, with SCS
SB 299-Curls

RESOLUTIONS

SR 197-Richard

Reported from Committee

SR 270-Kraus

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIRST DAY—TUESDAY, FEBRUARY 28, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Wisdom is better than might;..” (Ecclesiastes 9:13-18)

Gracious God we ask that You grant us wisdom in these unusual and uncertain times. Show us the path of Your faithful servants and grant us courage to follow that path. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

CONCURRENT RESOLUTIONS

Senator Emery offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 19

Whereas, allowing retail customers of electric generation to have access to competitive suppliers of retail electricity is being considered by many states, and has already been implemented in several other states; and

Whereas, the ability of Missouri citizens and businesses to compete in the global market may be harmed unless they have access to reliable electrical power at rates and on terms which are competitive with rates and terms in others states; and

Whereas, legislation designed to implement retail competition and an associated restructuring of the electric utility industry will require a careful examination of existing law, and the provisions of that legislation must take into account a variety of issues and factors:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the Task Force on Retail Electric Competition and the Restructuring of the Electric Utility Industry; and

Be It Further Resolved that the mission of the task force shall be to fully consider and make recommendations in a report to the General Assembly on:

(1) The method, feasibility, and impact of implementing retail electric competition on Missouri generators of electricity and Missouri consumers of electricity;

(2) The costs and benefits other states have experienced as a result of retail electric competition;

(3) The taxation and regulatory issues associated with restructuring the electric utility industry;

(4) The social, environmental, and other public service functions provided by the regulated electric utility industry to determine the potential impact of retail electric competition on these functions;

(5) Whether, and under what terms, retail electric competition should be offered in Missouri; and

Be It Further Resolved that the task force be authorized to call upon any department, office, division, or agency of this state to assist in gathering information pursuant to its objective; and

Be It Further Resolved that the task force shall consist of the following members:

(1) One member of the senate of the majority party appointed by the president pro tempore of the senate, to serve as the chair of the task force;

(2) One member of the house of representatives of the majority party appointed by the speaker of the house of representatives, to serve as the vice chair and secretary of the task force, and who will provide an agenda and report minutes of the task force;

(3) One member of the majority party of the senate and one member of the minority party of the senate appointed by the president pro tempore of the senate;

(4) One member of the majority party of the house of representatives and one member of the minority party of the house of representatives appointed by the speaker of the house of representatives;

(5) The Office of the Public Counsel, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(6) The Director of the Division of Energy, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(7) The Chair of the Public Service Commission, or his or her designee, to serve as a member and to provide technical assistance to the task force;

(8) A representative from each of the three segments of the retail electric industry appointed by the president pro tempore of the senate from the respective nominees submitted by the statewide associations of the investor-owned electric utilities, rural electric cooperatives, and municipally-owned electric utilities;

(9) A representative of retail electric consumers appointed by the speaker of the house of representatives;

(10) Two members representing the renewable energy industry appointed by the Chair of the Public Service Commission;

(11) Two members appointed by the Chair of the Public Service Commission representing each of the regional transmission organizations whose coverage area includes Missouri: Southwest Power Pool and Midcontinental Independent System Operator; and

Be It Further Resolved that the staff of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the task force; and

Be It Further Resolved that the chair or vice chair and secretary of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2018, whichever occurs first; and

Be It Further Resolved that on the date of termination, the task force may deliver a report of findings and recommendations to the General Assembly; and

Be It Further Resolved that this resolution does not amend any state law to which any retail electric generator or consumer is subject, and shall be interpreted to be consistent with any requirements of such state or federal law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Office of Public Counsel, the Division of Energy, and the Chair of the Public Service Commission.

Senator Rizzo offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 20

Whereas, Missouri residents with disabilities are deserving of having the same choice of where, how, and with whom they work and spend their time as other Missouri residents; and

Whereas, Missouri sheltered workshops, in partnership with business and industry, are an integral part of their local communities and their economies; and

Whereas, programs and employment offered by Missouri's sheltered workshops, through projects contracted at their facilities, supported enclaves, contracts at Missouri's rest stops, employment through AbilityOne contracts, and independent work assignments provide Missouri residents with disabilities the opportunity to meet new people, gain new skills, and earn the respect, dignity, and other ancillary human benefits that come with earning a paycheck and making a contribution to society; and

Whereas, approximately 6,000 Missouri residents with disabilities avail themselves of the opportunity to participate in these programs and related employment; and

Whereas, the parents, guardians, and caregivers of many of these participants support and attest to the benefits of these programs and the employment provided under them; and

Whereas, individuals with disabilities should be free to choose the settings in which they receive services or employment, including programs and employment offered by Missouri's sheltered workshops through projects contracted at their facilities, supported enclaves, contracts at Missouri's rest stops, employment through AbilityOne contracts, and independent work assignments:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby reaffirm Missouri's support of the services of the sheltered workshops of our state.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 488—By Kehoe.

An Act to authorize the conveyance of certain state properties.

SB 489—By Schatz.

An Act to repeal section 260.370, RSMo, and to enact in lieu thereof two new sections relating to the regulation of coal combustion residual units.

SB 490—By Schupp.

An Act to repeal sections 337.020, 337.030, 337.050, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, and 337.718, RSMo, and to enact in lieu thereof thirteen new sections relating to suicide prevention training for health care professionals.

SB 491—By Silvey and Holsman.

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to high school graduation requirements.

SB 492—By Hegeman.

An Act to repeal sections 301.213, 301.559, 301.560, 301.562, and 301.566, RSMo, and to enact in lieu thereof five new sections relating to motor vehicle dealers, with existing penalty provisions.

SB 493—By Hegeman.

An Act to amend chapter 404, RSMo, by adding thereto ten new sections relating to the appointment of a designated health care decision-maker.

SB 494—By Riddle.

An Act to repeal section 334.010, RSMo, and to enact in lieu thereof one new section relating to physicians providing sports medicine services.

SB 495—By Riddle.

An Act to repeal sections 190.200 and 190.241, RSMo, and to enact in lieu thereof three new sections relating to emergency services.

SB 496—By Nasheed.

An Act to amend chapter 314, RSMo, by adding thereto four new sections relating to discriminatory practices against persons convicted of certain offenses.

SB 497—By Nasheed.

An Act to amend chapter 561, RSMo, by adding thereto one new section relating to the court disclosing certain consequences prior to accepting a guilty plea.

SB 498—By Nasheed.

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to truancy.

SB 499—By Onder.

An Act to repeal section 577.012, RSMo, and to enact in lieu thereof one new section relating to the offense of driving with prohibited blood alcohol or drug content, with penalty provisions.

SB 500—By Emery.

An Act to repeal section 167.775, RSMo, and to enact in lieu thereof one new section relating to the participation of home school students in public school activities.

SB 501—By Sater.

An Act to repeal section 338.010, RSMo, and to enact in lieu thereof one new section relating to pharmacist vaccine protocol.

SB 502—By Munzlinger.

An Act to repeal section 382.278, RSMo, relating to insurance holding companies engaged in agricultural operations.

SB 503—By Munzlinger.

An Act to repeal section 650.330, RSMo, and to enact in lieu thereof one new section relating to the designation of a state 911 coordinator, with an emergency clause.

SB 504—By Rowden.

An Act to repeal sections 49.020, 67.617, and 71.015, RSMo, and to enact in lieu thereof three new sections relating to political subdivisions.

SB 505—By Rowden.

An Act to repeal section 143.041, RSMo, and to enact in lieu thereof one new section relating to taxation.

Senator Richard moved that the appointment of Lateacha Tigue, as a member of the St. Louis City Board of Election Commissioners, appearing on page 358 of the Senate Journal for Monday, February 27, 2017, be returned to the Governor, per his request, which motion prevailed.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

Photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 43**, with **SCS**, **SS** for **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

Senator Hegeman assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Riddle assumed the Chair.

Senator Onder assumed the Chair.

The Senate observed a moment of silence for the Perryville tornado victims.

Senator Riddle assumed the Chair.

Senator Schupp moved that **SA 1** be adopted, which motion failed by the following vote:

YEAS—Senators

Curls	Holsman	Hummel	Nasheed	Rizzo	Rowden	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Sater	Wallingford	Wasson	Wieland—20	

Absent—Senators

Chappelle-Nadal Schaaf

Schatz—3

Absent with leave—Senators—None

Vacancies—1

At the request of Senator Romine, **SS** for **SCS** for **SB 43** was withdrawn.

Senator Romine offered **SS No. 2** for **SCS** for **SB 43**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 43

An Act to repeal sections 213.010, 213.040, 213.050, 213.055, 213.065, 213.070, 213.075, 213.101, and 213.111, RSMo, and to enact in lieu thereof ten new sections relating to unlawful discriminatory practices.

Senator Romine moved that **SS No. 2** for **SCS** for **SB 43** be adopted, which motion prevailed.

On motion of Senator Romine, **SS No. 2** for **SCS** for **SB 43**, was declared perfected and ordered printed.

INTRODUCTION OF GUESTS

Senator Riddle introduced to the Senate, Jill Gamlin, Brooke Rains, Dana Martin, Patrick Perry, Casey Neuner, Lila Porter, Brandon Fletcher, Katy Bridgeman, Kaitlyn Davidson, Savannah Dollinger, Ricky Morris, David Rice, Jordan Woodall and Megan Adams.

Senator Onder introduced to the Senate, representatives of the National Academy of Elder Law Attorneys.

Senator Richard introduced to the Senate, President Dr. Jennifer Methvin; and Andy Wood, Jack and Diane Andris, Grant Phillips, Amy Rand, Tiffany Slinkard, Dr. Melissa Oates, Melissa Smith, Eddie Stephens, Curtis Daniels and Jeri Phillips, representatives of Crowder College.

Senator Eigel introduced to the Senate, former State Representative Joe Smith, and his son, Benjamin, St. Charles County; and Benjamin was made an honorary page.

Senator Nasheed introduced to the Senate, Sandra Zambrana.

Senator Eigel introduced to the Senate, Mrs. Williams and third-grade students from Lincoln Elementary School, St. Charles.

Senator Schupp introduced to the Senate, representatives of the American Civil Liberties Union.

The President introduced to the Senate, Chris McClay, Craig Huff, Aaron Tallart, Jared Taylor, Bev Derrickson, Charlie Soto, Sandy Duffield, Stacey Velez, Mike Sly, Denver Miller and Shawn Cook, Leadership Bolivar.

Senator Walsh introduced to the Senate, former State Representative Trent Skaggs, and his daughter, Ella, Kansas City.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-SECOND DAY—WEDNESDAY, MARCH 1, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 453-Sater	SB 480-Kraus
SB 454-Hoskins	SB 481-Sifton
SB 455-Rowden	SB 482-Sifton
SB 456-Rowden	SB 483-Holsman
SB 457-Eigel	SB 484-Koenig
SB 458-Holsman	SB 485-Hoskins
SB 459-Holsman	SB 486-Kehoe
SB 460-Holsman	SB 487-Curls
SB 461-Holsman	SB 488-Kehoe
SB 462-Sifton	SB 489-Schatz
SB 463-Kehoe	SB 490-Schupp
SB 464-Emery	SB 491-Silvey and Holsman
SB 465-Emery	SB 492-Hegeman
SB 466-Emery	SB 493-Hegeman
SB 467-Schupp	SB 494-Riddle
SB 468-Hegeman	SB 495-Riddle
SB 469-Schatz	SB 496-Nasheed
SB 470-Cunningham	SB 497-Nasheed
SB 471-Hummel	SB 498-Nasheed
SB 472-Hoskins	SB 499-Onder
SB 473-Rowden	SB 500-Emery
SB 474-Schatz	SB 501-Sater
SB 475-Schatz	SB 502-Munzlinger
SB 476-Schatz	SB 503-Munzlinger
SB 477-Riddle	SB 504-Rowden
SB 478-Silvey and Holsman	SB 505-Rowden
SB 479-Kraus	SJR 18-Curls

HOUSE BILLS ON SECOND READING

HCS for HB 115	HB 288-Fitzpatrick
HCS for HB 138	HB 655-Engler
HCS for HB 662	

THIRD READING OF SENATE BILLS

SS for SCS for SB 74-Schaaf
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

- | | |
|---|---------------------------------------|
| 1. SB 66-Schatz, with SCS | 38. SB 41-Wallingford and Emery |
| 2. SB 189-Kehoe, with SCS | 39. SB 67-Onder, et al |
| 3. SB 28-Sater, with SCS | 40. SB 195-Koenig |
| 4. SB 139-Sater, with SCS | 41. SB 18-Kraus |
| 5. SB 20-Brown | 42. SB 290-Schatz, with SCS |
| 6. SB 6-Richard, with SCS | 43. SB 330-Munzlinger |
| 7. SB 11-Wasson, with SCS | 44. SBs 44 & 63-Romine, with SCS |
| 8. SB 228-Koenig | 45. SB 328-Romine, with SCS |
| 9. SB 62-Hegeman | 46. SB 188-Munzlinger, with SCS |
| 10. SBs 314 & 340-Schatz, et al, with SCS | 47. SB 102-Cunningham, with SCS |
| 11. SB 34-Cunningham | 48. SB 303-Wieland, with SCS |
| 12. SB 65-Schatz | 49. SB 49-Walsh, with SCS |
| 13. SB 185-Onder, et al, with SCS | 50. SB 147-Romine |
| 14. SB 10-Wasson and Richard, with SCS | 51. SJR 9-Romine, with SCS |
| 15. SB 199-Wasson | 52. SB 122-Munzlinger, with SCS |
| 16. SB 349-Wasson | 53. SB 227-Koenig, with SCS |
| 17. SB 293-Romine | 54. SB 210-Onder, with SCS |
| 18. SB 190-Emery and Nasheed, with SCS | 55. SB 220-Riddle, with SCS |
| 19. SB 184-Emery | 56. SB 97-Sater, with SCS |
| 20. SB 22-Chappelle-Nadal | 57. SB 176-Dixon |
| 21. SB 32-Emery, with SCS | 58. SB 13-Dixon |
| 22. SB 258-Munzlinger | 59. SB 177-Dixon, with SCS |
| 23. SB 259-Munzlinger | 60. SB 68-Onder and Nasheed |
| 24. SB 260-Munzlinger | 61. SB 126-Wasson |
| 25. SB 261-Munzlinger | 62. SB 221-Riddle |
| 26. SB 262-Munzlinger | 63. SB 83-Dixon |
| 27. SB 213-Rowden, with SCS | 64. SB 99-Emery |
| 28. SB 123-Munzlinger | 65. SB 171-Dixon and Sifton, with SCS |
| 29. SB 283-Hegeman | 66. SB 158-Dixon |
| 30. SB 284-Hegeman, with SCS | 67. SB 157-Dixon, with SCS |
| 31. SB 124-Wasson | 68. SB 81-Dixon |
| 32. SB 35-Cunningham | 69. SB 178-Dixon |
| 33. SB 114-Schatz | 70. SB 204-Sifton |
| 34. SB 247-Kraus, with SCS | 71. SB 84-Kraus, with SCS |
| 35. SB 325-Kraus | 72. SB 163-Romine |
| 36. SBs 285 & 17-Koenig, with SCS | 73. SB 242-Emery, with SCS |
| 37. SB 160-Sater, with SCS | |

HOUSE BILLS ON THIRD READING

HB 251-Taylor, with SCS (Onder)

HCS for HB 130, with SCS (Onder)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
SB 21-Brown

SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/16

SB 309-Walsh and Onder, with SCS
SB 229-Riddle, with SCS
SB 50-Walsh
SB 194-Wallingford
SB 25-Curls
SB 225-Schatz

SB 322-Wieland and Romine, with SCS
SB 217-Nasheed, with SCS
SB 326-Kraus
SB 252-Dixon, with SCS
SB 128-Dixon, with SCS
SB 299-Curls

RESOLUTIONS

SR 197-Richard

Reported from Committee

SR 270-Kraus

To be Referred

SCR 19-Emery

SCR 20-Rizzo

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SECOND DAY—WEDNESDAY, MARCH 1, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“O God, you are my God, I seek You, my soul thirsts for You; my flesh faints for You as in a dry and weary land where there is no water.”
(Psalm 63:1)

Merciful God, many of Your people observe Ash Wednesday and this season of Lent that calls us to reflect on our lives and how we are called by You to live them. May we receive from You, the God of all mercy, full pardon and forgiveness being aware of our missing the mark of Your call to righteousness. You hear our groans and provide us with hope. As we walk through this day of ashes toward Your promise to be with You always. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 367, regarding Dorothy Strader, which was adopted.

Senator Kehoe offered Senate Resolution No. 368, regarding Gaiya Henley, Lohman, which was adopted.

Senator Onder offered Senate Resolution No. 369, regarding Paulina Owens, O’Fallon, which was adopted.

CONCURRENT RESOLUTIONS

Senator Wallingford offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 21

Whereas, the founders of this great nation set forth on the Earth an enduring Republic and charged future generations with the solemn duty of its preservation; and

Whereas, the Constitution of these United States, which is the cornerstone of this Republic, establishes the process to propose and ratify amendments to itself, including a process reserved for the state legislatures in Article V of the United States Constitution; and

Whereas, the State of Missouri recognizes that this process to amend the United States Constitution should by right be held in esteem, worthy of the sacrifice of our founders; and

Whereas, the State of Missouri recognizes that a preexisting set of rules and procedures to convene a convention for proposing amendments under Article V of the United States Constitution is desirable to ensure that such a convention functions effectively and decisively; and

Whereas, the State of Missouri recognizes that the Assembly of State Legislatures, made up of a bipartisan group of state legislators from 45 states, has met over a period of four years to carefully craft and consider rules and procedures for the convening of an Article V convention:

Now, Therefore, Be It Resolved by the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby declares that should a convention for proposing amendments under Article V of the United States Constitution be called, the State of Missouri supports the adoption of the rules and procedures adopted by the Assembly of State Legislatures on June 17, 2016 as the official rules and procedures to convene such a convention; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Executive Committee of the Assembly of State Legislatures.

Senator Schupp offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 22

Relating to the ratification of the Equal Rights Amendment to the United States Constitution.

WHEREAS, three years after women won the right to vote, the Equal Rights Amendment to the United States Constitution, authored by Alice Paul, head of the National Women’s Party, was introduced in Congress by Senator Curtis and Representative Anthony, both Republicans; and

WHEREAS, the Equal Rights Amendment to the United States Constitution passed the United States Senate and then the United States House of Representatives, and on March 22, 1972, the proposed Amendment to the United States Constitution was sent to the states for ratification; and

WHEREAS, the Equal Rights Amendment to the United States Constitution states:

“Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.”; and

WHEREAS, Congress placed a deadline of June 30, 1982, on the ratification process and thirty-five states ratified the proposed Amendment before the deadline; and

WHEREAS, Congress may not have the constitutional authority to place a deadline on the ratification process; and

WHEREAS, Article V of the United States Constitution allows the General Assembly of the State of Missouri to ratify this proposed Amendment to the Constitution of the United States; and

WHEREAS, the General Assembly of the State of Missouri finds that the proposed Amendment is meaningful and needed as part of the United States Constitution and that the present political, social and economic conditions are the same as or are even more demanding today than they were when the proposed Amendment was first submitted for adoption:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby ratify the Equal Rights Amendment to the United States Constitution; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Archivist of the United States, Washington, D.C.; the Vice President of the United States; the Speaker of the United States House of Representatives; and each member of the Missouri Congressional delegation with request that it be printed in the Congressional Record.

Read 1st time.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 506—By Silvey.

An Act to repeal sections 37.110 and 488.5320, RSMo, and to enact in lieu thereof twelve new sections relating to the internal operations of state government.

SB 507—By Nasheed.

An Act to repeal section 57.530, RSMo, and to enact in lieu thereof one new section relating to the sheriff of the city of St. Louis, with an emergency clause.

SB 508—By Nasheed.

An Act to repeal section 67.1809, RSMo, and to enact in lieu thereof one new section relating to medical transportation.

SB 509—By Dixon.

An Act to repeal section 221.105, RSMo, and to enact in lieu thereof one new section relating to reimbursement for the cost of incarcerating certain prisoners.

SB 510—By Dixon.

An Act to repeal sections 304.012 and 304.820, RSMo, and to enact in lieu thereof one new section relating to the operation of motor vehicles, with penalty provisions.

SB 511—By Dixon.

An Act to amend chapter 455, RSMo, by adding thereto one new section relating to domestic violence fatality review panels.

SB 512—By Dixon.

An Act to repeal sections 479.170, 488.029, 557.035, 565.076, 565.091, 566.010, 575.280, 577.001, 577.010, and 595.045, RSMo, and to enact in lieu thereof eleven new sections relating to criminal offenses, with penalty provisions.

SB 513—By Dixon.

An Act to repeal sections 491.060, 491.075, 491.600, 492.304, 544.250, 556.061, 589.660, and 589.663, RSMo, and to enact in lieu thereof nine new sections relating to information provided by certain witnesses

in criminal matters.

SB 514—By Onder.

An Act to repeal sections 71.530, 71.550, 88.251, 88.770, and 88.773, RSMo, and to enact in lieu thereof five new sections relating to utility services.

SB 515—By Munzlinger.

An Act to repeal section 292.606, RSMo, and to enact in lieu thereof one new section relating to transportation and delivery of petroleum products.

SB 516—By Munzlinger.

An Act to repeal section 195.017, RSMo, and to enact in lieu thereof one new section relating to schedules of controlled substances.

SB 517—By Wasson.

An Act to amend chapter 135, RSMo, by adding thereto one new section relating to tax credits for contributions to certain benevolent organizations.

SB 518—By Emery.

An Act to repeal sections 197.040, 197.050, 197.070, 197.071, 197.080, and 197.100, RSMo, and to enact in lieu thereof seven new sections relating to the licensure of hospitals, with a delayed effective date.

SB 519—By Emery.

An Act to repeal sections 12.010, 12.025, 12.027, 12.030, 12.050, 95.525, and 95.527, RSMo, and to enact in lieu thereof five new sections relating to the acquisition of land by the United States government.

SB 520—By Emery.

An Act to repeal sections 479.350, 479.353, 479.359, 479.360, and 479.368, RSMo, and to enact in lieu thereof five new sections relating to municipal ordinance violations.

SB 521—By Kraus.

An Act to repeal sections 143.401 and 143.601, RSMo, and to enact in lieu thereof two new sections relating to the taxation of partnerships.

SB 522—By Sifton.

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to school bus safety belts.

SB 523—By Sater.

An Act to repeal section 210.025, RSMo, and to enact in lieu thereof one new section relating to criminal background checks for child care providers.

SB 524—By Koenig.

An Act to repeal sections 516.105 and 537.100, RSMo, and to enact in lieu thereof two new sections relating to service of process after the statute of limitations has expired for filing an action.

SB 525—By Riddle.

An Act to repeal section 260.262, RSMo, and to enact in lieu thereof one new section relating to the fee collected at the time of sale for lead-acid batteries.

SB 526—By Brown.

An Act to repeal sections 208.909 and 208.918, RSMo, and to enact in lieu thereof two new sections relating to vendors of consumer-directed services.

SB 527—By Brown.

An Act to amend chapter 208, RSMo, by adding thereto three new sections relating to MO HealthNet managed care.

SB 528—By Hegeman.

An Act to repeal section 640.620, RSMo, and to enact in lieu thereof one new section relating to grants to assist in financing certain utility projects.

SB 529—By Hegeman.

An Act to amend chapter 89, RSMo, by adding thereto one new section relating to planning and zoning commissions.

SB 530—By Hegeman.

An Act to repeal sections 285.055 and 288.062, RSMo, and to enact in lieu thereof two new sections relating to the prohibition of local minimum wage laws.

SB 531—By Hoskins.

An Act to amend chapter 633, RSMo, by adding thereto one new section relating to the division of developmental disabilities.

SB 532—By Hoskins.

An Act to repeal section 630.745, RSMo, and to enact in lieu thereof one new section relating to department of mental health inspections.

SB 533—By Eigel.

An Act to repeal section 338.202, RSMo, and to enact in lieu thereof one new section relating to maintenance medication.

SB 534—By Eigel.

An Act to repeal section 160.570, RSMo, and to enact in lieu thereof one new section relating to student participation in statewide assessments.

SB 535—By Wallingford.

An Act to repeal section 210.152, RSMo, and to enact in lieu thereof one new section relating to child abuse investigations, with an existing penalty provision.

SB 536—By Wallingford.

An Act to repeal section 335.021, RSMo, and to enact in lieu thereof one new section relating to

membership of the Missouri state board of nursing.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 251**, with **SCS**, to the Committee on Fiscal Oversight.

President Pro Tem Richard referred **SCR 19** and **SCR 20** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SB 43**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SS No. 2** for **SCS** for **SB 43** to the Committee on Fiscal Oversight.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 537—By Chappelle-Nadal.

An Act to amend chapter 561, RSMo, by adding thereto one new section relating to the court disclosing certain consequences prior to accepting a guilty plea.

SB 538—By Chappelle-Nadal.

An Act to repeal section 191.235, RSMo, and to enact in lieu thereof one new section relating to vaccines.

SB 539—By Chappelle-Nadal.

An Act to amend chapter 314, RSMo, by adding thereto four new sections relating to discriminatory practices against persons convicted of certain offenses.

SB 540—By Curls.

An Act to repeal section 324.010, RSMo, and to enact in lieu thereof one new section relating to professional licenses.

SB 541—By Schupp.

An Act to repeal sections 393.1000 and 393.1003, RSMo, and to enact in lieu thereof two new sections

relating to the requirement to replace certain infrastructure for water corporations collecting an infrastructure replacement surcharge.

SB 542—By Schatz.

An Act to repeal section 319.045, RSMo, and to enact in lieu thereof one new section relating to the civil penalty for violating certain underground facility safety standards, with penalty provisions.

SB 543—By Schatz.

An Act to repeal section 386.572, RSMo, and to enact in lieu thereof one new section relating to civil penalties for violating federally mandated natural gas safety standards, with penalty provisions.

SB 544—By Rowden.

An Act to repeal section 536.305, RSMo, and to enact in lieu thereof one new section relating to the small business regulatory fairness board.

CONCURRENT RESOLUTIONS

Senator Curls offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 23

Relating to Parliamentary Law Month

Whereas, since April is the birth month of Thomas Jefferson, who wrote the first American manual of parliamentary procedure in 1801, it is an appropriate time to honor him and celebrate the use of parliamentary procedure; and

Whereas, it is fitting to honor Henry Martyn Robert, author of *Pocket Manual of Rules of Order for Deliberative Assemblies*, also known as *Robert's Rules of Order*; and

Whereas, *Robert's Rules of Order Newly Revised* is the most widely recognized and used parliamentary authority in public and private organizations; and

Whereas, it is timely to reflect on the importance of parliamentary procedure in meetings in providing for civil discourse, protecting individual rights, ensuring fairness, and in maintaining order; and

Whereas, parliamentarians are a professional society dedicated to educating leaders throughout the world in effective meeting management through the use of parliamentary procedure:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate the month of April each year as "Parliamentary Law Month" in the state of Missouri, and encourage citizens of Missouri to observe the month with appropriate activities and events to increase awareness of parliamentary law; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Governor for his approval or rejection pursuant to the Missouri Constitution.

Read 1st time.

THIRD READING OF SENATE BILLS

SB 309, with SCS, introduced by Senators Walsh and Onder, entitled:

An Act to repeal sections 56.363, 56.805, 56.807, 56.814, 56.818, 56.833, and 56.840, RSMo, and to enact in lieu thereof seven new sections relating to the retirement system for prosecuting and circuit attorneys.

Was called from the Consent Calendar and taken up by Senator Walsh.

SCS for **SB 309**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 309

An Act to repeal sections 56.363, 56.805, 56.807, 56.814, 56.818, 56.833, and 56.840, RSMo, and to enact in lieu thereof seven new sections relating to the retirement system for prosecuting and circuit attorneys.

Was taken up.

Senator Walsh moved that **SCS** for **SB 309** be adopted, which motion prevailed.

On motion of Senator Walsh, **SCS** for **SB 309** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 229, with **SCS**, introduced by Senator Riddle, entitled:

An Act to repeal section 630.945, RSMo, and to enact in lieu thereof one new section relating to employees working in certain mental health facilities.

Was called from the Consent Calendar and taken up.

SCS for **SB 229**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 229

An Act to repeal section 630.945, RSMo, and to enact in lieu thereof one new section relating to employees working in certain mental health facilities.

Was taken up.

Senator Riddle moved that **SCS** for **SB 229** be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **SB 229** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 50, introduced by Senator Walsh, entitled:

An Act to amend chapter 194, RSMo, by adding thereto one new section relating to health care directives registry.

Was called from the Consent Calendar and taken up.

On motion of Senator Walsh, **SB 50** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 194, introduced by Senator Wallingford, entitled:

An Act to repeal section 354.603, RSMo, and to enact in lieu thereof one new section relating to the accreditation of managed care plans.

Was called from the Consent Calendar and taken up.

On motion of Senator Wallingford, **SB 194** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wallingford, title to the bill was agreed to.

Senator Wallingford moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 25, introduced by Senator Curls, entitled:

An Act to amend chapter 84, RSMo, by adding thereto one new section relating to the Kansas City police department.

Was called from the Consent Calendar and taken up.

Senator Curls requested unanimous consent of the Senate that Senate Rule 45 be suspended for the purpose of offering an amendment to **SB 25**, which request was granted.

Senator Curls offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 25, Page 1, Section 84.514, Line 3, by inserting after the word “security” the following: “**and disaster communications**”; and further amend line 7 by inserting after the word “security” the following: “**and disaster communications**”.

Senator Curls moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Curls, **SB 25**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 225, introduced by Senator Schatz, entitled:

An Act to repeal section 304.170, RSMo, and to enact in lieu thereof one new section relating to the length of motor vehicles operated on highways.

Was called from the Consent Calendar and taken up.

On motion of Senator Schatz, **SB 225** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 322, with **SCS**, introduced by Senators Wieland and Romine, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of certain memorial infrastructure.

Was called from the Consent Calendar and taken up by Senator Wieland.

SCS for **SB 322**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 322

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of certain memorial infrastructure.

Was taken up.

Senator Wieland moved that **SCS** for **SB 322** be adopted, which motion prevailed.

On motion of Senator Wieland, **SCS** for **SB 322** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 217, with **SCS**, introduced by Senator Nasheed, entitled:

An Act to repeal section 135.647, RSMo, and to enact in lieu thereof one new section relating to soup kitchens.

Was called from the Consent Calendar and taken up.

SCS for SB 217, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 217

An Act to repeal section 135.647, RSMo, and to enact in lieu thereof one new section relating to tax credits for the assistance of needy persons.

Was taken up.

Senator Nasheed moved that **SCS for SB 217** be adopted, which motion prevailed.

On motion of Senator Nasheed, **SCS for SB 217** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curles	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Nasheed, title to the bill was agreed to.

Senator Nasheed moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 326, introduced by Senator Kraus, entitled:

An Act to repeal sections 347.015 and 347.020, RSMo, and to enact in lieu thereof three new sections relating to low-profit limited liability companies.

Was called from the Consent Calendar and taken up.

On motion of Senator Kraus, **SB 326** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curles	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 128, with **SCS**, introduced by Senator Dixon, entitled:

An Act to repeal sections 478.463 and 478.464, RSMo, and to enact in lieu thereof two new sections relating to judges in the sixteenth judicial circuit.

Was called from the Consent Calendar and taken up.

SCS for **SB 128**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 128

An Act to repeal sections 478.463 and 478.464, RSMo, and to enact in lieu thereof two new sections relating to judges in the sixteenth judicial circuit.

Was taken up.

Senator Dixon moved that **SCS** for **SB 128** be adopted.

At the request of Senator Dixon, the motion to adopt **SCS** for **SB 128** was withdrawn, which placed the bill back on the Consent Calendar.

SB 299, introduced by Senator Curls, entitled:

An Act to amend chapter 82, RSMo, by adding thereto one new section relating to abandoned real property in certain cities.

Was called from the Consent Calendar and taken up.

On motion of Senator Curls, **SB 299** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 50**, entitled:

An Act to repeal sections 478.463 and 478.464, RSMo, and to enact in lieu thereof two new sections relating to circuit and associate judges in the sixteenth judicial circuit.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 94**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto one new section relating to student assessments.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Section 21.553 of the Revised Statutes of Missouri (RSMo), I hereby appoint the following senators to the Joint Committee on Public Employee Retirement.

Senator Andrew Koenig

Senator John Rizzo

Sincerely,



Ron Richard

President Pro Tem

RESOLUTIONS

Senator Schatz offered Senate Resolution No. 370, regarding Emily Bauer, which was adopted.

Senator Schatz offered Senate Resolution No. 371, regarding Robert F. Wolf, Washington, which was adopted.

Senator Emery offered Senate Resolution No. 372, regarding Eagle Scout Matthew Joseph Afrisio, Windsor, which was adopted.

Senator Riddle offered Senate Resolution No. 373, regarding Eagle Scout Aaron Harms, Warrenton, which was adopted.

Senator Riddle offered Senate Resolution No. 374, regarding Edna Gravens and Norma Keeteman, Lincoln County, which was adopted.

Senator Riddle offered Senate Resolution No. 375, regarding Edna Gravens and Norma Keeteman, Lincoln County, which was adopted.

INTRODUCTION OF GUESTS

Senator Kehoe introduced to the Senate, Emily Rogers, and eighth-grade students from Thomas Jefferson Middle School, Jefferson City.

Senator Hummel introduced to the Senate, Mike Fresta and Joe Barbaglia, St. Louis.

On behalf of Senator Wasson and himself, Senator Dixon introduced to the Senate, James, Shannon and Isaiah Holgerson, Nixa.

Senator Kehoe introduced to the Senate, Dorothy Strader, Rick Doerhoff, Savannah Snyder and Teresa Baysinger, Jefferson City.

Senator Brown introduced to the Senate, Laura Laughlin, and thirty-five students from Waynesville High School.

Senator Eigel introduced to the Senate, Braden and Korbin Keller, and Todd Rumbo, O'Fallon.

Senator Silvey introduced to the Senate, representatives of Oak Hill Day School, Gladstone.

Senator Sater introduced to the Senate, Ben and Jayme Reuter, and their children, Sadie, Ella, Joseph, Claire and Brandt, Cassville.

Senator Rizzo introduced to the Senate, the Physician of the Day, Dr. Donald A. Potts, Independence.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-THIRD DAY—THURSDAY, MARCH 2, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 453-Sater	SB 483-Holsman
SB 454-Hoskins	SB 484-Koenig
SB 455-Rowden	SB 485-Hoskins
SB 456-Rowden	SB 486-Kehoe
SB 457-Eigel	SB 487-Curls
SB 458-Holsman	SB 488-Kehoe
SB 459-Holsman	SB 489-Schatz
SB 460-Holsman	SB 490-Schupp
SB 461-Holsman	SB 491-Silvey and Holsman
SB 462-Sifton	SB 492-Hegeman
SB 463-Kehoe	SB 493-Hegeman
SB 464-Emery	SB 494-Riddle
SB 465-Emery	SB 495-Riddle
SB 466-Emery	SB 496-Nasheed
SB 467-Schupp	SB 497-Nasheed
SB 468-Hegeman	SB 498-Nasheed
SB 469-Schatz	SB 499-Onder
SB 470-Cunningham	SB 500-Emery
SB 471-Hummel	SB 501-Sater
SB 472-Hoskins	SB 502-Munzlinger
SB 473-Rowden	SB 503-Munzlinger
SB 474-Schatz	SB 504-Rowden
SB 475-Schatz	SB 505-Rowden
SB 476-Schatz	SB 506-Silvey
SB 477-Riddle	SB 507-Nasheed
SB 478-Silvey and Holsman	SB 508-Nasheed
SB 479-Kraus	SB 509-Dixon
SB 480-Kraus	SB 510-Dixon
SB 481-Sifton	SB 511-Dixon
SB 482-Sifton	SB 512-Dixon

SB 513-Dixon	SB 530-Hegeman
SB 514-Onder	SB 531-Hoskins
SB 515-Munzlinger	SB 532-Hoskins
SB 516-Munzlinger	SB 533-Eigel
SB 517-Wasson	SB 534-Eigel
SB 518-Emery	SB 535-Wallingford
SB 519-Emery	SB 536-Wallingford
SB 520-Emery	SB 537-Chappelle-Nadal
SB 521-Kraus	SB 538-Chappelle-Nadal
SB 522-Sifton	SB 539-Chappelle-Nadal
SB 523-Sater	SB 540-Curls
SB 524-Koenig	SB 541-Schupp
SB 525-Riddle	SB 542-Schatz
SB 526-Brown	SB 543-Schatz
SB 527-Brown	SB 544-Rowden
SB 528-Hegeman	SJR 18-Curls
SB 529-Hegeman	

HOUSE BILLS ON SECOND READING

HCS for HB 115	HB 655-Engler
HCS for HB 138	HCS for HB 50
HCS for HB 662	HB 94-Lauer
HB 288-Fitzpatrick	

THIRD READING OF SENATE BILLS

SS for SCS for SB 74-Schaaf (In Fiscal Oversight)	SS#2 for SCS for SB 43-Romine (In Fiscal Oversight)
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SENATE BILLS FOR PERFECTION

- | | |
|---------------------------|---|
| 1. SB 66-Schatz, with SCS | 6. SB 6-Richard, with SCS |
| 2. SB 189-Kehoe, with SCS | 7. SB 11-Wasson, with SCS |
| 3. SB 28-Sater, with SCS | 8. SB 228-Koenig |
| 4. SB 139-Sater, with SCS | 9. SB 62-Hegeman |
| 5. SB 20-Brown | 10. SBs 314 & 340-Schatz, et al, with SCS |

11. SB 34-Cunningham
12. SB 65-Schatz
13. SB 185-Onder, et al, with SCS
14. SB 10-Wasson and Richard, with SCS
15. SB 199-Wasson
16. SB 349-Wasson
17. SB 293-Romine
18. SB 190-Emery and Nasheed, with SCS
19. SB 184-Emery
20. SB 22-Chappelle-Nadal
21. SB 32-Emery, with SCS
22. SB 258-Munzlinger
23. SB 259-Munzlinger
24. SB 260-Munzlinger
25. SB 261-Munzlinger
26. SB 262-Munzlinger
27. SB 213-Rowden, with SCS
28. SB 123-Munzlinger
29. SB 283-Hegeman
30. SB 284-Hegeman, with SCS
31. SB 124-Wasson
32. SB 35-Cunningham
33. SB 114-Schatz
34. SB 247-Kraus, with SCS
35. SB 325-Kraus
36. SBs 285 & 17-Koenig, with SCS
37. SB 160-Sater, with SCS
38. SB 41-Wallingford and Emery
39. SB 67-Onder, et al
40. SB 195-Koenig
41. SB 18-Kraus
42. SB 290-Schatz, with SCS
43. SB 330-Munzlinger
44. SBs 44 & 63-Romine, with SCS
45. SB 328-Romine, with SCS
46. SB 188-Munzlinger, with SCS
47. SB 102-Cunningham, with SCS
48. SB 303-Wieland, with SCS
49. SB 49-Walsh, with SCS
50. SB 147-Romine
51. SJR 9-Romine, with SCS
52. SB 122-Munzlinger, with SCS
53. SB 227-Koenig, with SCS
54. SB 210-Onder, with SCS
55. SB 220-Riddle, with SCS
56. SB 97-Sater, with SCS
57. SB 176-Dixon
58. SB 13-Dixon
59. SB 177-Dixon, with SCS
60. SB 68-Onder and Nasheed
61. SB 126-Wasson
62. SB 221-Riddle
63. SB 83-Dixon
64. SB 99-Emery
65. SB 171-Dixon and Sifton, with SCS
66. SB 158-Dixon
67. SB 157-Dixon, with SCS
68. SB 81-Dixon
69. SB 178-Dixon
70. SB 204-Sifton
71. SB 84-Kraus, with SCS
72. SB 163-Romine
73. SB 242-Emery, with SCS

HOUSE BILLS ON THIRD READING

HB 251-Taylor, with SCS (Onder)
(In Fiscal Oversight)

HCS for HB 130, with SCS (Onder)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
SB 21-Brown

SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)

CONSENT CALENDAR

Senate Bills

Reported 2/16

SB 252-Dixon, with SCS

SB 128-Dixon, with SCS

RESOLUTIONS

SR 197-Richard

Reported from Committee

SR 270-Kraus

To be Referred

SCR 21-Wallingford
SCR 22-Schupp

SCR 23-Curls

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-THIRD DAY—THURSDAY, MARCH 2, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Make me to know Your ways, O Lord; teach me Your path.” (Psalm 25:4)

Gracious God, wherever we travel we are mindful of your presence, even in the midst of winter we see Your handy work. We are humbled by Your creation and mindful we are part of it. So as we travel home this day help us to see the world as You see it and desire the things that You desire so we may serve You more faithfully wherever we may be. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the Gasconade County Republican were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 376, regarding Eagle Scout Derek Brennan Gross, Arnold, which was adopted.

Senator Silvey offered Senate Resolution No. 377, regarding Joe Hoyt, Nashua, which was adopted.

Senator Silvey offered Senate Resolution No. 378, regarding Katharine Turpen, North Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 379, regarding Sydney Neal, Nashua, which was adopted.

Senator Silvey offered Senate Resolution No. 380, regarding Amber Thrasher, Nashua, which was adopted.

Senator Silvey offered Senate Resolution No. 381, regarding Casey Flynn, Nashua, which was adopted.

Senator Rowden offered Senate Resolution No. 382, regarding Cristina Tobias, which was adopted.

Senator Richard offered Senate Resolution No. 383, regarding Barbara L. Hogelin, Joplin, which was adopted.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schaaf, Chairman of the Committee on Health and Pensions, submitted the following reports:

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 371**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 333**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 295**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 409**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 141**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 203**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 410**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 117**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 296**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 394**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 368**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 331**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following reports:

Mr. President: Your Committee on Economic Development, to which was referred **SB 348**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 406**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 142**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 129**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 14**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 4**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 96**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 103**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 196**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 230**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 334**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 363**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **SB 88**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 200**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 201**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **SB 183**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **HB 95**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **HB 153**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **HB 251**, with **SCS**; **SS No. 2** for **SCS** for **SB 43**; **SS** for **SCS** for **SB 74**; and **HCS** for **HB 130**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 405**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **SB 130**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 80**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SB 250**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **SJR 12**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Senator Wallingford, Chairman of the Committee on Veterans and Military Affairs, submitted the following reports:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 144**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 279**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **SB 280**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 115**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 362**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Small Business and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 298**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 234**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 442**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 76**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 389**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 286**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 267**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 332**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 93**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 112**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following reports:

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 383**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 336**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 223**, begs leave

to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 353**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 366**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 263**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 302**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 222**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 282**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 243**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 156**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was

referred **SB 85**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 180**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 233**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 61**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SJR 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 358**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 316**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 329**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 376**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Joseph A. Barbaglia, Democrat, and Jerry M. Hunter, Republican, as members of the Saint Louis City Board of Elections Commissioners.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

REFERRALS

President Pro Tem Richard referred **SCR 21** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolutions were read the 2nd time and referred to the Committees indicated:

SCR 22—Rules, Joint Rules, Resolutions and Ethics.

SCR 23—Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 453—Local Government and Elections.

SB 454—Professional Registration.

SB 455—Professional Registration.

SB 456—Health and Pensions.

SB 457—Transportation, Infrastructure and Public Safety.

SB 458—Commerce, Consumer Protection, Energy and the Environment.

SB 459—Commerce, Consumer Protection, Energy and the Environment.

SB 460—Local Government and Elections.

SB 461—Economic Development.

SB 462—Judiciary and Civil and Criminal Jurisprudence.

SB 463—Rules, Joint Rules, Resolutions and Ethics.

SB 464—Education.

SB 465—Judiciary and Civil and Criminal Jurisprudence.

SB 466—Government Reform.

SB 467—Small Business and Industry.

SB 468—Professional Registration.

SB 469—Economic Development.

SB 470—Judiciary and Civil and Criminal Jurisprudence.

SB 471—Ways and Means.

SB 472—Agriculture, Food Production and Outdoor Resources.

SB 473—General Laws.

SB 474—Transportation, Infrastructure and Public Safety.

SB 475—Government Reform.

SB 476—Education.

SB 477—Seniors, Families and Children.

SB 478—Education.

SB 479—Ways and Means.

SB 480—Commerce, Consumer Protection, Energy and the Environment.

SB 481—Small Business and Industry.

SB 482—Judiciary and Civil and Criminal Jurisprudence.

SB 483—Transportation, Infrastructure and Public Safety.

SB 484—Judiciary and Civil and Criminal Jurisprudence.

SB 485—Education.

SB 486—General Laws.

SB 487—General Laws.

SB 488—General Laws.

SB 489—Commerce, Consumer Protection, Energy and the Environment.

SB 490—Professional Registration.

SB 491—Education.

SB 492—Professional Registration.

SB 493—Judiciary and Civil and Criminal Jurisprudence.

SB 494—Professional Registration.

SB 495—Health and Pensions.

SB 496—Judiciary and Civil and Criminal Jurisprudence.

SB 497—Judiciary and Civil and Criminal Jurisprudence.

SB 498—Transportation, Infrastructure and Public Safety.

SB 499—Judiciary and Civil and Criminal Jurisprudence.

SB 500—Education.

SB 501—Seniors, Families and Children.

SB 502—Insurance and Banking.

SB 503—Transportation, Infrastructure and Public Safety.

SB 504—Local Government and Elections.

SB 505—Ways and Means.

SJR 18—Rules, Joint Rules, Resolutions and Ethics.

Senator Dixon requested unanimous consent of the Senate that **SB 252**, with **SCS**, be returned to the Committee on the Judiciary and Civil and Criminal Jurisprudence as an updated fiscal note deems it ineligible of meeting consent status under Senate Rule 45, which request was granted.

THIRD READING OF SENATE BILLS

SS for **SCS** for **SB 74**, introduced by Senator Schaaf, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 74

An Act to repeal section 195.050, RSMo, and to enact in lieu thereof twelve new sections relating to a prescription drug monitoring program, with penalty provisions.

Was taken up.

On motion of Senator Schaaf, **SS** for **SCS** for **SB 74** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Hegeman	Holsman	Hummel	Kehoe
Libla	Munzlinger	Richard	Riddle	Rizzo	Romine	Rowden
Schaaf	Schatz	Sifton	Silvey	Wallingford	Wasson—20	

NAYS—Senators

Chappelle-Nadal	Curls	Eigel	Emery	Hoskins	Koenig	Kraus
Nasheed	Onder	Sater	Schupp	Walsh	Wieland—13	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schaaf, title to the bill was agreed to.

Senator Schaaf moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

SS No. 2 for SCS for SB 43, introduced by Senator Romine, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 43

An Act to repeal sections 213.010, 213.040, 213.050, 213.055, 213.065, 213.070, 213.075, 213.101, and 213.111, RSMo, and to enact in lieu thereof ten new sections relating to unlawful discriminatory practices.

Was taken up.

On motion of Senator Romine, **SS No. 2 for SCS for SB 43** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Walsh—9					

Absent—Senator Koenig—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Kraus moved that **SR 270** be taken up for adoption, which motion prevailed.

Senator Kraus offered **SS** for **SR 270**, entitled:

SENATE SUBSTITUTE FOR
SENATE RESOLUTION NO. 270

Whereas, the tenth amendment to the United States Constitution reserves for the States or people all rights not delegated to the federal government; and

Whereas, the Constitution of the United States does not delegate authority to the federal government to create identification standards, nor to condition the full faith and credit owed to a State's acts, records, and proceedings; and

Whereas, identification documents have traditionally and historically been the province of the several States; and

Whereas, the REAL ID Act increases the administrative burden on the States, and will result in increased expense for license and identification card applicants, as well as extended waiting and processing times; and

Whereas, history has shown that all governments, even our own, present a hazard of overreach and tyranny; and

Whereas, in 2009, the Missouri General Assembly passed legislation, signed by Governor Nixon, expressly forbidding the state from cooperating with the REAL ID Act; and

Whereas, in 2013, the Missouri General Assembly passed legislation, signed by Governor Nixon, clearly prohibiting the Department of Revenue from retaining source documents as required by the REAL ID Act; and

Whereas, in 2014, the people of Missouri passed Amendment 9 to ensure their personal privacy is not violated by our government; and

Whereas, the people of Missouri have made it abundantly clear that they value their privacy and refuse to sacrifice it under the guise of security; and

Whereas, implementation of the REAL ID Act will put in place a system that may further enable a surveillance state; and

Whereas, the brave men and women of our armed forces put their lives on the line, and sometimes make the ultimate sacrifice, to defend our freedom and liberty:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, hereby urge that the United States Congress repeal the REAL ID Act of 2005; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for each member of Missouri's Congressional delegation.

Senator Kraus moved that **SS** for **SR 270** be adopted, which motion prevailed.

On motion of Senator Kraus, **SS** for **SR 270** was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 252**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 451**, entitled:

An Act to repeal section 1.100, RSMo, and to enact in lieu thereof one new section relating to population designations in statutes, with an emergency clause.

Emergency Clause Defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 93**, entitled:

An Act to repeal section 620.806, RSMo, and to enact in lieu thereof one new section relating to the Missouri Works Training Program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 289**, entitled:

An Act to repeal section 287.037, RSMo, and to enact in lieu thereof one new section relating to workers' compensation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 225**, entitled:

An Act to amend chapter 301, RSMo, by adding thereto one new section relating to camping trailer license plates.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 384, regarding the Susanna Randolph Chapter of the Daughters of the American Revolution, Vandalia, which was adopted.

Senator Riddle offered Senate Resolution No. 385, regarding Charlie Rosenkrans, Paris, which was adopted.

Senator Nasheed offered Senate Resolution No. 386, regarding Charles R. Tallman, III, which was adopted.

INTRODUCTION OF GUESTS

Senator Kehoe introduced to the Senate, Jordan Tyler Duenckel, Jefferson City.

The President introduced to the Senate, former Florida Governor Jeb Bush.

Senator Wallingford introduced to the Senate, Jenny Schade, Robert Michael and Cheryl Hartke, and forty seventh-grade students from St. Vincent DePaul, Cape Girardeau.

Senator Romine introduced to the Senate, Kevin Jenkins, Doug Smith and Matt King.

Senator Sater introduced to the Senate, students of the Ozark Nursing Program, College of the Ozarks.

On behalf of Senator Onder and herself, Senator Walsh introduced to the Senate, Bernice Herweck, and her son, Jack; and Jack was made an honorary page.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 6, 2017.

SENATE CALENDAR

THIRTY-FOURTH DAY—MONDAY, MARCH 6, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 506-Silvey	SB 526-Brown
SB 507-Nasheed	SB 527-Brown
SB 508-Nasheed	SB 528-Hegeman
SB 509-Dixon	SB 529-Hegeman
SB 510-Dixon	SB 530-Hegeman
SB 511-Dixon	SB 531-Hoskins
SB 512-Dixon	SB 532-Hoskins
SB 513-Dixon	SB 533-Eigel
SB 514-Onder	SB 534-Eigel
SB 515-Munzlinger	SB 535-Wallingford
SB 516-Munzlinger	SB 536-Wallingford
SB 517-Wasson	SB 537-Chappelle-Nadal
SB 518-Emery	SB 538-Chappelle-Nadal
SB 519-Emery	SB 539-Chappelle-Nadal
SB 520-Emery	SB 540-Curls
SB 521-Kraus	SB 541-Schupp
SB 522-Sifton	SB 542-Schatz
SB 523-Sater	SB 543-Schatz
SB 524-Koenig	SB 544-Rowden
SB 525-Riddle	

HOUSE BILLS ON SECOND READING

HCS for HB 115	HB 94-Lauer
HCS for HB 138	HCS for HB 451
HCS for HB 662	HB 93-Lauer
HB 288-Fitzpatrick	HB 289-Fitzpatrick
HB 655-Engler	HCS for HB 225
HCS for HB 50	

SENATE BILLS FOR PERFECTION

1. SB 66-Schatz, with SCS

2. SB 189-Kehoe, with SCS

3. SB 28-Sater, with SCS
4. SB 139-Sater, with SCS
5. SB 20-Brown
6. SB 6-Richard, with SCS
7. SB 11-Wasson, with SCS
8. SB 228-Koenig
9. SB 62-Hegeman
10. SBs 314 & 340-Schatz, et al, with SCS
11. SB 34-Cunningham
12. SB 65-Schatz
13. SB 185-Onder, et al, with SCS
14. SB 10-Wasson and Richard, with SCS
15. SB 199-Wasson
16. SB 349-Wasson
17. SB 293-Romine
18. SB 190-Emery and Nasheed, with SCS
19. SB 184-Emery
20. SB 22-Chappelle-Nadal
21. SB 32-Emery, with SCS
22. SB 258-Munzlinger
23. SB 259-Munzlinger
24. SB 260-Munzlinger
25. SB 261-Munzlinger
26. SB 262-Munzlinger
27. SB 213-Rowden, with SCS
28. SB 123-Munzlinger
29. SB 283-Hegeman
30. SB 284-Hegeman, with SCS
31. SB 124-Wasson
32. SB 35-Cunningham
33. SB 114-Schatz
34. SB 247-Kraus, with SCS
35. SB 325-Kraus
36. SBs 285 & 17-Koenig, with SCS
37. SB 160-Sater, with SCS
38. SB 41-Wallingford and Emery
39. SB 67-Onder, et al
40. SB 195-Koenig
41. SB 18-Kraus
42. SB 290-Schatz, with SCS
43. SB 330-Munzlinger
44. SBs 44 & 63-Romine, with SCS
45. SB 328-Romine, with SCS
46. SB 188-Munzlinger, with SCS
47. SB 102-Cunningham, with SCS
48. SB 303-Wieland, with SCS
49. SB 49-Walsh, with SCS
50. SB 147-Romine
51. SJR 9-Romine, with SCS
52. SB 122-Munzlinger, with SCS
53. SB 227-Koenig, with SCS
54. SB 210-Onder, with SCS
55. SB 220-Riddle, with SCS
56. SB 97-Sater, with SCS
57. SB 176-Dixon
58. SB 13-Dixon
59. SB 177-Dixon, with SCS
60. SB 68-Onder and Nasheed
61. SB 126-Wasson
62. SB 221-Riddle
63. SB 83-Dixon
64. SB 99-Emery
65. SB 171-Dixon and Sifton, with SCS
66. SB 158-Dixon
67. SB 157-Dixon, with SCS
68. SB 81-Dixon
69. SB 178-Dixon
70. SB 204-Sifton
71. SB 84-Kraus, with SCS
72. SB 163-Romine
73. SB 242-Emery, with SCS
74. SB 371-Schaaf
75. SB 333-Schaaf, with SCS
76. SB 295-Schaaf, with SCS
77. SB 409-Koenig
78. SB 141-Emery
79. SB 203-Sifton, with SCS
80. SB 410-Schatz
81. SB 368-Rowden
82. SB 331-Hegeman
83. SB 348-Wasson
84. SB 406-Wasson and Sater
85. SB 142-Emery
86. SB 129-Dixon and Sifton, with SCS
87. SB 96-Sater and Emery
88. SB 103-Wallingford
89. SB 196-Koenig
90. SB 230-Riddle

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|-------------------------------|----------------------------------|
| 91. SB 88-Brown, with SCS | 108. SB 286-Rizzo |
| 92. SB 200-Libla | 109. SB 267-Schatz, with SCS |
| 93. SB 201-Onder, with SCS | 110. SB 383-Eigel and Wieland |
| 94. SB 183-Hoskins, with SCS | 111. SB 336-Wieland |
| 95. SB 130-Kraus, with SCS | 112. SB 223-Schatz, with SCS |
| 96. SB 80-Wasson, with SCS | 113. SB 263-Riddle |
| 97. SB 250-Kehoe | 114. SB 243-Hegeman |
| 98. SJR 12-Eigel | 115. SB 156-Munzlinger, with SCS |
| 99. SB 144-Wallingford | 116. SB 85-Kraus, with SCS |
| 100. SB 280-Hoskins, with SCS | 117. SB 180-Nasheed, with SCS |
| 101. SB 115-Schupp, with SCS | 118. SB 233-Wallingford |
| 102. SB 362-Hummel | 119. SB 61-Hegeman, with SCS |
| 103. SB 298-Curls | 120. SJR 11-Hegeman, with SCS |
| 104. SB 234-Libla, with SCS | 121. SB 358-Wieland |
| 105. SB 442-Hegeman | 122. SB 316-Rowden, with SCS |
| 106. SB 76-Munzlinger | 123. SB 376-Hoskins |
| 107. SB 389-Sater, with SCS | 124. SB 252-Dixon, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|----------------------------------|-----------------------|
| HB 251-Taylor, with SCS (Onder) | HB 95-McGaugh (Emery) |
| HCS for HB 130, with SCS (Onder) | HB 153-Corlew (Libla) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--------------|---------------------------------------|
| SB 5-Richard | SBs 37 & 244-Silvey, with SCS, SS for |
| SB 21-Brown | SCS & SA 1 (pending) |

CONSENT CALENDAR

Senate Bills

Reported 2/16

SB 128-Dixon, with SCS

Reported 3/2

SB 117-Schupp, with SCS

SB 296-Hummel

SB 394-Romine
SB 334-Sater, with SCS
SB 363-Chappelle-Nadal
SB 405-Hegeman
SB 279-Kraus, with SCS
SB 332-Hegeman
SB 93-Curls, with SCS

SB 112-Schatz, with SCS
SB 353-Wallingford
SB 366-Koenig
SB 302-Wieland
SB 222-Riddle
SB 282-Hegeman
SB 329-Kehoe

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FOURTH DAY—MONDAY, MARCH 6, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Teach me Your way, O Lord, that I may walk in Your truth; give me an undivided heart to revere Your name.” (Psalm 86:11)

My God of truth, life has a way of making the most hopeful people skeptical. There is so much that is bogus and so much put before us that are at best half-truths. We thank You for the gift of doubting so we may be seekers of what is truth and is helpful. We thank You for keeping us excited and eager to do what You have sent us here to do. So this week and day help us as we knock and seek and ask, obeying Your directing us to know the truth and act on it. In Your holy name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 2, 2017 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Nasheed—2

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Rizzo offered Senate Resolution No. 387, regarding Eagle Scout Peyton Mateo Fuimaono, Independence, which was adopted.

Senator Romine offered Senate Resolution No. 388, regarding Sister Anne Francioni, Ellington, which was adopted.

Senator Wieland offered Senate Resolution No. 389, regarding Lauren Schuette, which was adopted.

Senator Wieland offered Senate Resolution No. 390, regarding Margie Sammons, Fenton, which was adopted.

Senator Kehoe offered Senate Resolution No. 391, regarding Learning in Retirement, Inc., Jefferson City, which was adopted.

Senator Riddle offered Senate Resolution No. 392, regarding Carla Jo Conley, Holts Summit, which was adopted.

Senator Riddle offered Senate Resolution No. 393, regarding Grace Williams, which was adopted.

Senator Koenig offered Senate Resolution No. 394, regarding Robert Joseph “Bob” Kerr, Ellisville, which was adopted.

Senator Walsh offered Senate Resolution No. 395, regarding Valley Industries Sheltered Workshop, Hazelwood, which was adopted.

On behalf of Senator Chappelle-Nadal, Senator Walsh offered Senate Resolution No. 396, regarding Percy Francisco, Saint Louis, which was adopted.

Senator Onder offered Senate Resolution No. 397, regarding Julie Lembke, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 398, regarding the Thirty-fifth Wedding Anniversary of John J. and Billie Jo Kincaid, O’Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 399, regarding Clifford Eugene “Cliff” Markel, Saint Peters, which was adopted.

Senator Onder offered Senate Resolution No. 400, regarding Cindy Evans, which was adopted.

Senator Hummel offered Senate Resolution No. 401, regarding Roy John Scherrer, Saint Louis, which was adopted.

Senator Sater offered Senate Resolution No. 402, regarding the Fiftieth Wedding Anniversary of Jerry and Sue Harper, which was adopted.

Senator Sater offered Senate Resolution No. 403, regarding Derek Acheson, which was adopted.

Senator Sater offered Senate Resolution No. 404, regarding the Sixtieth Wedding Anniversary of L.C. and Barbara Hickman, Fairview, which was adopted.

Senator Sater offered Senate Resolution No. 405, regarding the Sixtieth Wedding Anniversary of Donna and Ronald Moore, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 406, regarding the Sixtieth Wedding Anniversary of Jay and Carol Holmes, which was adopted.

Senator Sater offered Senate Resolution No. 407, regarding the death of Mark Trimble, Hollister, which was adopted.

CONCURRENT RESOLUTIONS

Senator Hegeman offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 24

Whereas, diabetes affects more than twenty-nine million Americans and is a chronic condition that occurs when the body does not properly produce or use the hormone insulin that regulates blood sugar; and

Whereas, type 2 diabetes is the most common type of diabetes, representing an estimated ninety to ninety-five percent of all diagnosed adult diabetes cases in the United States; and

Whereas, diabetes is the seventh leading cause of death in the United States with eight million Americans undiagnosed and more than five thousand Americans diagnosed each day; and

Whereas, cardiovascular disease is the leading cause of death associated with diabetes due to complications associated with diabetes, such as high blood sugar, high blood pressure, and obesity; and

Whereas, cardiovascular disease is a term used to define problems with the heart and blood vessels such as heart attacks, heart failure, and strokes; and

Whereas, people with type 2 diabetes are at two to four times greater risk for developing cardiovascular disease and findings from a recent study revealing fifty-two percent of adults living with type 2 diabetes unaware they are at an increased risk; and

Whereas, two out of three deaths in people with type 2 diabetes are attributable to cardiovascular disease in the United States, accounting for sixty-eight percent of deaths in people with type 2 diabetes; and

Whereas, the total health care costs for the treatment of diabetes were reported to be approximately two hundred forty-five billion dollars annually, with direct medical costs accounting for one hundred thirty-six billion dollars of the total costs in 2013, and cardiovascular disease accounting for twenty-eight percent of costs for treating diabetes patients; and

Whereas, in the state of Missouri, the amount paid by Medicare for type 2 diabetes and cardiovascular disease totals eight hundred forty-three million two hundred seven thousand five hundred nine for three hundred ninety-six beneficiaries; and

Whereas, appropriate awareness and education about the cardiovascular risks associated with diabetes can effectively reduce the overall outcome and financial burden of the illness; and

Whereas, the Missouri Department of Health and Senior Services and other relevant partners seek to promote awareness, education, and action related to diabetes and the link to cardiovascular disease:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby designate the month of November 2017, as Diabetes and Cardiovascular Disease Awareness Month in Missouri and encourage others to promote education and awareness of the connection between diabetes and cardiovascular disease; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to send a properly inscribed copy of this resolution to the Governor.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 66**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 66**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 66

An Act to repeal sections 287.020, 287.149, 287.170, and 287.390, RSMo, and to enact in lieu thereof four new sections relating to maximum medical improvement under workers' compensation laws.

Was taken up.

Senator Schatz moved that **SCS** for **SB 66** be adopted.

Senator Schatz offered **SS** for **SCS** for **SB 66**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 66

An Act to repeal sections 287.020, 287.149, 287.170, and 287.390, RSMo, and to enact in lieu thereof four new sections relating to maximum medical improvement under workers' compensation laws.

Senator Schatz moved that **SS** for **SCS** for **SB 66** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 1, In the Title, Line 4 of said title, by striking the following: “maximum medical improvement under”; and further amend line 5 of said title, by striking the word “laws”; and

Further amend said bill, page 8, section 287.170, line 20 of said page, by inserting immediately after said line the following:

“287.243. 1. This section shall be known and may be cited as the “Line of Duty Compensation Act”.

2. As used in this section, unless otherwise provided, the following words shall mean:

(1) “Air ambulance pilot”, a person certified as an air ambulance pilot in accordance with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted by the department of health and senior services, division of regulation and licensure, 19 CSR 30-40.005, et seq.;

(2) “Air ambulance registered professional nurse”, a person licensed as a registered professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered professional nursing services as a flight nurse in conjunction with an air ambulance program that is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations applicable to such programs;

(3) “Child”, any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter who, at the time of the law enforcement officer’s, emergency medical technician’s, air ambulance pilot’s, air ambulance registered professional nurse’s, or firefighter’s fatality is:

(a) Eighteen years of age or under;

(b) Over eighteen years of age and a student as defined in section 8101 of title 5, United States Code; or

(c) Over eighteen years of age and incapable of self-support because of physical or mental disability;

(4) “Emergency medical technician”, a person licensed in emergency medical care in accordance with

standards prescribed by sections 190.001 to 190.245 and by rules adopted by the department of health and senior services under sections 190.001 to 190.245;

[(4)] (5) “Firefighter”, any person, including a volunteer firefighter, employed by the state or a local governmental entity as an employer defined under subsection 1 of section 287.030, or otherwise serving as a member or officer of a fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims;

[(5)] (6) “Killed in the line of duty”, when any person defined in this section loses his or her life when:

(a) Death is caused by an accident or the willful act of violence of another;

(b) The law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is in the active performance of his or her duties in his or her respective profession and there is a relationship between the accident or commission of the act of violence and the performance of the duty, even if the individual is off duty; the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is traveling to or from employment; or the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter is taking any meal break or other break which takes place while that individual is on duty;

(c) Death is the natural and probable consequence of the injury; and

(d) Death occurs within three hundred weeks from the date the injury was received.

The term excludes death resulting from the willful misconduct or intoxication of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. The division of workers’ compensation shall have the burden of proving such willful misconduct or intoxication;

[(6)] (7) “Law enforcement officer”, any person employed by the state or a local governmental entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary police officer or in some like position involving the enforcement of the law and protection of the public interest at the risk of that person’s life;

[(7)] (8) “Local governmental entity”, includes counties, municipalities, townships, board or other political subdivision, cities under special charter, or under the commission form of government, fire protection districts, ambulance districts, and municipal corporations;

[(8)] (9) “State”, the state of Missouri and its departments, divisions, boards, bureaus, commissions, authorities, and colleges and universities;

[(9)] (10) “Volunteer firefighter”, a person having principal employment other than as a firefighter, but who is carried on the rolls of a regularly constituted fire department either for the purpose of the prevention or control of fire or the underwater recovery of drowning victims, the members of which are under the jurisdiction of the corporate authorities of a city, village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual who volunteers assistance without being regularly enrolled as a firefighter.

3. (1) A claim for compensation under this section shall be filed [by the estate of] **by survivors of the**

deceased with the division of workers' compensation not later than one year from the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is made within one year of the date of death of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation shall be paid, if the division finds that the claimant is entitled to compensation under this section.

(2) The amount of compensation paid to the claimant shall be twenty-five thousand dollars, subject to appropriation, for death occurring on or after June 19, 2009.

4. Any compensation awarded under the provisions of this section shall be distributed as follows:

(1) If there is no child who survived the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, to the surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter;

(2) If there is at least one child who survived the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, and a surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, fifty percent to the surviving child, or children, in equal shares, and fifty percent to the surviving spouse;

(3) If there is no surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, to the surviving child, or children, in equal shares;

(4) If there is no surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter and no surviving child:

(a) To the surviving individual, or individuals, in shares per the designation or, otherwise, in equal shares, designated by the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter to receive benefits under this subsection in the most recently executed designation of beneficiary of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter on file at the time of death with the public safety agency, organization, or unit; or

(b) If there is no individual qualifying under paragraph (a), to the surviving individual, or individuals, in equal shares, designated by the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter to receive benefits under the most recently executed life insurance policy of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter on file at the time of death with the public safety agency, organization, or unit;

(5) If there is no individual qualifying under subdivisions (1), (2), (3), or (4) of this subsection, to the surviving parent, or parents, in equal shares, of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter; or

(6) If there is no individual qualifying under subdivisions (1), (2), (3), (4), or (5) of this subsection, to the surviving individual, or individuals, in equal shares, who would otherwise qualify under the definition of the term “child” but for his or her age.

5. Notwithstanding subsection 3 of this section, no compensation is payable under this section unless a claim is filed within the time specified under this section setting forth:

(1) The name, address, and title or designation of the position in which the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter was serving at the time of his or her death;

(2) The name and address of the claimant;

(3) A full, factual account of the circumstances resulting in or the course of events causing the death at issue; and

(4) Such other information that is reasonably required by the division.

When a claim is filed, the division of workers’ compensation shall make an investigation for substantiation of matters set forth in the application.

[5.] **6.** The compensation provided for under this section is in addition to, and not exclusive of, any pension rights, death benefits, or other compensation the claimant may otherwise be entitled to by law.

[6.] **7.** Neither employers nor workers’ compensation insurers shall have subrogation rights against any compensation awarded for claims under this section. Such compensation shall not be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that the division or commission may allow as lien on the compensation, reasonable attorney’s fees for services in connection with the proceedings for compensation if the services are found to be necessary. Such fees are subject to regulation as set forth in section 287.260.

[7.] **8.** Any person seeking compensation under this section who is aggrieved by the decision of the division of workers’ compensation regarding his or her compensation claim, may make application for a hearing as provided in section 287.450. The procedures applicable to the processing of such hearings and determinations shall be those established by this chapter. Decisions of the administrative law judge under this section shall be binding, subject to review by either party under the provisions of section 287.480.

[8.] **9.** Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after June 19, 2019, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

[9.] **10.** The provisions of this section, unless specified, shall not be subject to other provisions of this chapter.

[10.] **11.** There is hereby created in the state treasury the “Line of Duty Compensation Fund”, which

shall consist of moneys appropriated to the fund and any voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying claims under this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

[11.] **12.** The division shall promulgate rules to administer this section, including but not limited to the appointment of claims to multiple claimants, record retention, and procedures for information requests. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Walsh offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for SB 66, Page 10, Section 287.390, Line 18, by striking “nine” and inserting in lieu thereof “**twelve**”.

Senator Walsh moved that the above amendment be adopted.

Senator Walsh offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 10, Section 287.390, Line 18, by striking “nine” and inserting in lieu thereof “**twelve**”;

And further amend same page and section, line 22 by striking “nine” and inserting in lieu thereof the following “**twelve**”.

Senator Walsh moved that the above substitute amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 5, Section 287.020, Line 25, by striking all of said line and inserting in lieu thereof the following: “**improve, within a reasonable degree of medical certainty.**”.

Senator Sifton moved that the above amendment be adopted.

Senator Schatz offered **SSA 1** for **SA 3**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 5, Section 287.020, Line 25, by inserting after the word “physician” the following: “**within a reasonable degree of medical certainty**”.

Senator Schatz moved that the above substitute amendment be adopted, which motion prevailed.

Senator Onder assumed the Chair.

President Parson assumed the Chair.

Senator Schaaf offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 6, Section 287.170, Line 22, by inserting after the word “made.” the following: “**In the case of an injured employee who has reached maximum medical improvement but is unable to return to work, such employee shall receive temporary total disability benefits for up to four hundred weeks during the continuance of such disability at the weekly rate of compensation in effect under this section on the date of the injury for which compensation is being made.**”.

Senator Schaaf moved that the above amendment be adopted.

Senator Schatz offered **SA 1** to **SA 4**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 4

Amend Senate Amendment No. 4 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 1, Line 5, by inserting after the word “to” the following: “**but not to exceed**”.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

SA 4, as amended, was again taken up.

Senator Schaaf moved that **SA 4**, as amended, be adopted, which motion prevailed.

Senator Schatz moved that **SS** for **SCS** for **SB 66**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SS** for **SCS** for **SB 66**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 292**, entitled:

An Act to repeal sections 362.105, 362.111, 362.280, 362.285, 365.100, 408.140, and 408.330, RSMo,

and to enact in lieu thereof five new sections relating to powers of banks.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 207**, entitled:

An Act to repeal section 221.111, RSMo, and to enact in lieu thereof one new section relating to a prohibition on certain telecommunications items being possessed in correctional facilities, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 493**, entitled:

An Act to repeal section 347.048, RSMo, and to enact in lieu thereof one new section relating to real property owned by limited liability companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 169**, entitled:

An Act to amend chapter 21, RSMo, by adding thereto one new section relating to legislative review of audits conducted by the state auditor's office.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 661**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the comprehensive state energy plan.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 700**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 408, regarding William Wallace “Bill” Watson, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 409, regarding Louis August “Louie” Kuehn, Sainte Genevieve, which was adopted.

COMMUNICATIONS

Senator Walsh submitted the following:

March 6, 2017

Adriane Crouse – Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65102

Dear Adriane:

Pursuant to the provisions of section 208.955, RSMo, and in my capacity as minority floor leader of the Missouri Senate, please consider this correspondence to be my appointment of Senator Jill Schupp to the MO HealthNet Oversight Committee.

Sincerely,



Gina Walsh

Also,

Senator Wieland submitted the following:

March 6th, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Ms. Crouse,

Pursuant to Senate Rule 45, I respectfully request that Senate Bill 405 be removed from the consent calendar.

Your assistance in this matter is truly appreciated.

Respectfully,



Paul Wieland

Senate District 22

INTRODUCTION OF GUESTS

Senator Kehoe introduced to the Senate, Kiefer Schmidt, Jefferson City.

Senator Kehoe introduced to the Senate, Sadie Rowden, Jefferson City.

Senator Wallingford introduced to the Senate, Congressman Jason Smith and former State Representative Shelly Keeney, Sikeston.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Tuesday, March 7, 2017.

SENATE CALENDAR

THIRTY-FIFTH DAY—TUESDAY, MARCH 7, 2017

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 506-Silvey	SB 526-Brown
SB 507-Nasheed	SB 527-Brown
SB 508-Nasheed	SB 528-Hegeman
SB 509-Dixon	SB 529-Hegeman
SB 510-Dixon	SB 530-Hegeman
SB 511-Dixon	SB 531-Hoskins
SB 512-Dixon	SB 532-Hoskins
SB 513-Dixon	SB 533-Eigel
SB 514-Onder	SB 534-Eigel
SB 515-Munzlinger	SB 535-Wallingford
SB 516-Munzlinger	SB 536-Wallingford
SB 517-Wasson	SB 537-Chappelle-Nadal
SB 518-Emery	SB 538-Chappelle-Nadal
SB 519-Emery	SB 539-Chappelle-Nadal
SB 520-Emery	SB 540-Curls
SB 521-Kraus	SB 541-Schupp
SB 522-Sifton	SB 542-Schatz
SB 523-Sater	SB 543-Schatz
SB 524-Koenig	SB 544-Rowden
SB 525-Riddle	

HOUSE BILLS ON SECOND READING

HCS for HB 115	HCS for HB 662
HCS for HB 138	HB 288-Fitzpatrick

HB 655-Engler
HCS for HB 50
HB 94-Lauer
HCS for HB 451
HB 93-Lauer
HB 289-Fitzpatrick
HCS for HB 225

HCS for HB 292
HB 207-Fitzwater
HB 493-Bondon
HB 169-Curtman
HCS for HB 661
HB 700-Cookson

SENATE BILLS FOR PERFECTION

1. SB 189-Kehoe, with SCS
2. SB 28-Sater, with SCS
3. SB 139-Sater, with SCS
4. SB 20-Brown
5. SB 6-Richard, with SCS
6. SB 11-Wasson, with SCS
7. SB 228-Koenig
8. SB 62-Hegeman
9. SBs 314 & 340-Schatz, et al, with SCS
10. SB 34-Cunningham
11. SB 65-Schatz
12. SB 185-Onder, et al, with SCS
13. SB 10-Wasson and Richard, with SCS
14. SB 199-Wasson
15. SB 349-Wasson
16. SB 293-Romine
17. SB 190-Emery and Nasheed, with SCS
18. SB 184-Emery
19. SB 22-Chappelle-Nadal
20. SB 32-Emery, with SCS
21. SB 258-Munzlinger
22. SB 259-Munzlinger
23. SB 260-Munzlinger
24. SB 261-Munzlinger
25. SB 262-Munzlinger
26. SB 213-Rowden, with SCS
27. SB 123-Munzlinger
28. SB 283-Hegeman
29. SB 284-Hegeman, with SCS
30. SB 124-Wasson
31. SB 35-Cunningham
32. SB 114-Schatz
33. SB 247-Kraus, with SCS

34. SB 325-Kraus
35. SBs 285 & 17-Koenig, with SCS
36. SB 160-Sater, with SCS
37. SB 41-Wallingford and Emery
38. SB 67-Onder, et al
39. SB 195-Koenig
40. SB 18-Kraus
41. SB 290-Schatz, with SCS
42. SB 330-Munzlinger
43. SBs 44 & 63-Romine, with SCS
44. SB 328-Romine, with SCS
45. SB 188-Munzlinger, with SCS
46. SB 102-Cunningham, with SCS
47. SB 303-Wieland, with SCS
48. SB 49-Walsh, with SCS
49. SB 147-Romine
50. SJR 9-Romine, with SCS
51. SB 122-Munzlinger, with SCS
52. SB 227-Koenig, with SCS
53. SB 210-Onder, with SCS
54. SB 220-Riddle, with SCS
55. SB 97-Sater, with SCS
56. SB 176-Dixon
57. SB 13-Dixon
58. SB 177-Dixon, with SCS
59. SB 68-Onder and Nasheed
60. SB 126-Wasson
61. SB 221-Riddle
62. SB 83-Dixon
63. SB 99-Emery
64. SB 171-Dixon and Sifton, with SCS
65. SB 158-Dixon
66. SB 157-Dixon, with SCS

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|---------------------------------------|----------------------------------|
| 67. SB 81-Dixon | 96. SB 250-Kehoe |
| 68. SB 178-Dixon | 97. SJR 12-Eigel |
| 69. SB 204-Sifton | 98. SB 144-Wallingford |
| 70. SB 84-Kraus, with SCS | 99. SB 280-Hoskins, with SCS |
| 71. SB 163-Romine | 100. SB 115-Schupp, with SCS |
| 72. SB 242-Emery, with SCS | 101. SB 362-Hummel |
| 73. SB 371-Schaaf | 102. SB 298-Curls |
| 74. SB 333-Schaaf, with SCS | 103. SB 234-Libla, with SCS |
| 75. SB 295-Schaaf, with SCS | 104. SB 442-Hegeman |
| 76. SB 409-Koenig | 105. SB 76-Munzlinger |
| 77. SB 141-Emery | 106. SB 389-Sater, with SCS |
| 78. SB 203-Sifton, with SCS | 107. SB 286-Rizzo |
| 79. SB 410-Schatz | 108. SB 267-Schatz, with SCS |
| 80. SB 368-Rowden | 109. SB 383-Eigel and Wieland |
| 81. SB 331-Hegeman | 110. SB 336-Wieland |
| 82. SB 348-Wasson | 111. SB 223-Schatz, with SCS |
| 83. SB 406-Wasson and Sater | 112. SB 263-Riddle |
| 84. SB 142-Emery | 113. SB 243-Hegeman |
| 85. SB 129-Dixon and Sifton, with SCS | 114. SB 156-Munzlinger, with SCS |
| 86. SB 96-Sater and Emery | 115. SB 85-Kraus, with SCS |
| 87. SB 103-Wallingford | 116. SB 180-Nasheed, with SCS |
| 88. SB 196-Koenig | 117. SB 233-Wallingford |
| 89. SB 230-Riddle | 118. SB 61-Hegeman, with SCS |
| 90. SB 88-Brown, with SCS | 119. SJR 11-Hegeman, with SCS |
| 91. SB 200-Libla | 120. SB 358-Wieland |
| 92. SB 201-Onder, with SCS | 121. SB 316-Rowden, with SCS |
| 93. SB 183-Hoskins, with SCS | 122. SB 376-Hoskins |
| 94. SB 130-Kraus, with SCS | 123. SB 252-Dixon, with SCS |
| 95. SB 80-Wasson, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|----------------------------------|-----------------------|
| HB 251-Taylor, with SCS (Onder) | HB 95-McGaugh (Emery) |
| HCS for HB 130, with SCS (Onder) | HB 153-Corlew (Libla) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--------------|---------------------------------------|
| SB 5-Richard | SBs 37 & 244-Silvey, with SCS, SS for |
| SB 21-Brown | SCS & SA 1 (pending) |

CONSENT CALENDAR

Senate Bills

Reported 2/16

SB 128-Dixon, with SCS

Reported 3/2

SB 117-Schupp, with SCS

SB 296-Hummel

SB 394-Romine

SB 334-Sater, with SCS

SB 363-Chappelle-Nadal

SB 279-Kraus, with SCS

SB 332-Hegeman

SB 93-Curls, with SCS

SB 112-Schatz, with SCS

SB 353-Wallingford

SB 366-Koenig

SB 302-Wieland

SB 222-Riddle

SB 282-Hegeman

SB 329-Kehoe

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

To be Referred

SCR 24-Hegeman

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-FIFTH DAY—TUESDAY, MARCH 7, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“All your works shall give thanks to you, O Lord, and all your faithful shall bless you.” (Psalm 145:10)

Creator God, we receive Your storms and rain with thanksgiving for it waters the earth and nourishes the land so all we need grows and we are the benefactors of Your gracious gifts to us. We are thankful for that there was no loss of life but are concerned by the destruction left behind and ask that You show us how to assist those in need. And we are thankful for this wonderful new day, crisp morning and blue skies and say it is a wonderful day to be alive. May we value the opportunities of each day and find our walk in Your presence, pleasing in Your sight. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senators

Hummel Nasheed—2

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 410, regarding the death of former State Senator John D. Schneider, Warson Woods, which was adopted.

Senator Walsh offered Senate Resolution No. 411, regarding Emil Rosburg Kouba, Jr., Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 412, regarding David Norman “Dave” Clasby, Florissant, which was adopted.

Senator Schaaf offered Senate Resolution No. 413, regarding Eagle Scout Garrett Allen Horton, Kansas City, which was adopted.

Senator Schaaf offered Senate Resolution No. 414, regarding Eagle Scout Dillon James McPhee, Kansas City, which was adopted.

Senator Rowden offered Senate Resolution No. 415, regarding John Wilke, Columbia, which was adopted.

Senator Brown offered Senate Resolution No. 416, regarding Eric Volkmer, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 417, regarding Selynn Barbour, Camdenton, which was adopted.

Senator Richard offered Senate Resolution No. 418, regarding the One Hundred Seventy-fifth Anniversary of the city of Carthage, which was adopted.

Senator Wieland offered Senate Resolution No. 419, regarding William August “Bill” Jeude, Pevely, which was adopted.

Senator Wieland offered Senate Resolution No. 420, regarding Gene Franklin Lexa, Barnhart, which was adopted.

Senator Wieland offered Senate Resolution No. 421, regarding Edwin “Ed” Maenner, Imperial, which was adopted.

REFERRALS

President Pro Tem Richard referred **SCR 24** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 117**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred

SS for **SCS** for **SB 66**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SS** for **SCS** for **SB 66** to the Committee on Fiscal Oversight.

SENATE BILLS FOR PERFECTION

At the request of Senator Kehoe, **SB 189**, with **SCS**, was placed on the Informal Calendar.

Senator Sater moved that **SB 28**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 28**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 28

An Act to amend chapter 208, RSMo, by adding thereto four new sections relating to the Medicaid global waiver.

Was taken up.

Senator Sater moved that **SCS** for **SB 28** be adopted.

At the request of Senator Sater, **SB 28**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Sater moved that **SB 139**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 139**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 139

An Act to amend chapter 338, RSMo, by adding thereto two new sections relating to the promotion of medication safety.

Was taken up.

Senator Sater moved that **SCS** for **SB 139** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 139** was declared perfected and ordered printed.

At the request of Senator Brown, **SB 20** was placed on the Informal Calendar.

SB 6, with **SCS** was placed on the Informal Calendar.

Senator Wasson moved that **SB 11**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 11**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 11

An Act to repeal sections 100.010 and 100.180, RSMo, and to enact in lieu thereof two new sections relating to industrial development projects.

Was taken up.

Senator Wasson moved that **SCS** for **SB 11** be adopted, which motion prevailed.

On motion of Senator Wasson, **SCS** for **SB 11** was declared perfected and ordered printed.

Senator Koenig moved that **SB 228** be taken up for perfection, which motion prevailed.

Senator Koenig offered **SS** for **SB 228**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 228

An Act to repeal section 104.1003, RSMo, and to enact in lieu thereof two new sections relating to state employee retirement systems.

Senator Koenig moved that **SS** for **SB 228** be adopted.

Senator Kraus assumed the Chair.

President Parson assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 228, Page 7, Section 104.1003, Line 1, by inserting after all of said line the following:

“104.1091. 1. Notwithstanding any provision of the year 2000 plan to the contrary, each person who first becomes an employee on or after January 1, 2011, shall be a member of the year 2000 plan subject to the provisions of this section.

2. A member’s normal retirement eligibility shall be as follows:

(1) The member’s attainment of at least age sixty-seven and the completion of at least ten years of credited service; or the member’s attainment of at least age fifty-five with the sum of the member’s age and credited service equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, such member’s attainment of at least age sixty or the attainment of at least age fifty-five with ten years of credited service;

(2) For members of the general assembly, the member’s attainment of at least age sixty-two and the completion of at least three full biennial assemblies; or the member’s attainment of at least age fifty-five with the sum of the member’s age and credited service equaling at least ninety;

(3) For statewide elected officials, the official’s attainment of at least age sixty-two and the completion of at least four years of credited service; or the official’s attainment of at least age fifty-five with the sum of the official’s age and credited service equaling at least ninety.

3. A vested former member’s normal retirement eligibility shall be based on the attainment of at least age sixty-seven and the completion of at least ten years of credited service.

4. A temporary annuity paid pursuant to subsection 4 of section 104.1024 shall be payable if the member has attained at least age fifty-five with the sum of the member’s age and credited service equaling at least ninety; or in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, the temporary annuity shall be payable if the

member has attained at least age sixty, or at least age fifty-five with ten years of credited service.

5. A member, other than a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, shall be eligible for an early retirement annuity upon the attainment of at least age sixty-two and the completion of at least ten years of credited service. A vested former member shall not be eligible for early retirement.

6. The provisions of subsection 6 of section 104.1021 and section 104.344 as applied pursuant to subsection 7 of section 104.1021 and section 104.1090 shall not apply to members covered by this section.

7. The minimum credited service requirements of five years contained in sections 104.1018, 104.1030, 104.1036, and 104.1051 shall be ten years for members covered by this section. The normal and early retirement eligibility requirements in this section shall apply for purposes of administering section 104.1087.

8. A member shall be required to contribute four percent of the member's pay to the retirement system, which shall stand to the member's credit in his or her individual account with the system, together with investment credits thereon, for purposes of funding retirement benefits payable under the year 2000 plan, subject to the following provisions:

(1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the member under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the member's pay that is includable in the member's gross income for federal income tax purposes;

(2) Member contributions picked up by the employer shall be paid from the same source of funds used for the payment of pay to a member. A deduction shall be made from each member's pay equal to the amount of the member's contributions picked up by the employer. This deduction, however, shall not reduce the member's pay for purposes of computing benefits under the retirement system pursuant to this chapter;

(3) Member contributions so picked up shall be credited to a separate account within the member's individual account so that the amounts contributed pursuant to this section may be distinguished from the amounts contributed on an after-tax basis;

(4) The contributions, although designated as employee contributions, shall be paid by the employer in lieu of the contributions by the member. The member shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system;

(5) Interest shall be credited annually on June thirtieth based on the value in the account as of July first of the immediately preceding year at a rate of four percent. Effective June 30, 2014, and each June thirtieth thereafter, the interest crediting rate shall be equal to the investment rate that is published by the United States Department of Treasury, or its successor agency, for fifty-two week treasury bills for the relevant auction that is nearest to the preceding July first, or a successor treasury bill investment rate as approved by the board if the fifty-two week treasury bill is no longer issued. Interest credits shall cease upon termination of employment if the member is not a vested former member. Otherwise, interest credits shall cease upon retirement or death;

(6) A vested former member or a former member who is not vested may request a refund of his or her contributions and interest credited thereon. If such member is married at the time of such request, such request shall not be processed without consent from the spouse. Such member is not eligible to request a

refund if such member's retirement benefit is subject to a division of benefit order pursuant to section 104.1051. Such refund shall be paid by the system after ninety days from the date of termination of employment or the request, whichever is later, and shall include all contributions made to any retirement plan administered by the system and interest credited thereon. A vested former member may not request a refund after such member becomes eligible for normal retirement. A vested former member or a former member who is not vested who receives a refund shall forfeit all the member's credited service and future rights to receive benefits from the system and shall not be eligible to receive any long-term disability benefits; provided that any member or vested former member receiving long-term disability benefits shall not be eligible for a refund. If such member subsequently becomes an employee and works continuously for at least one year, the credited service previously forfeited shall be restored if the member returns to the system the amount previously refunded plus interest at a rate established by the board;

(7) The beneficiary of any member who made contributions shall receive a refund upon the member's death equal to the amount, if any, of such contributions and interest credited thereon less any retirement benefits received by the member unless an annuity is payable to a survivor or beneficiary as a result of the member's death. In that event, the beneficiary of the survivor or beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's death equal to the amount, if any, of the member's contributions less any annuity amounts received by the member and the survivor or beneficiary.

9. The employee contribution rate, the benefits provided under the year 2000 plan to members covered under this section, and any other provision of the year 2000 plan with regard to members covered under this section may be altered, amended, increased, decreased, or repealed, but only with respect to services rendered by the member after the effective date of such alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

10. For purposes of members covered by this section, the options under section 104.1027 shall be as follows:

Option 1. A retiree's life annuity shall be reduced to a certain percent of the annuity otherwise payable. Such percent shall be eighty-eight and one half percent adjusted as follows: if the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of three-tenths of one percent for each year the retiree's age is younger than age sixty-seven years; and if the beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of three-tenths of one percent for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the annuity starting date, an increase of three-tenths of one percent for each year of age difference; provided, after all adjustments the option 1 percent cannot exceed ninety-four and one quarter percent. Upon the retiree's death, fifty percent of the retiree's reduced annuity shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise provided by subsection 5 of this section.

Option 2. A retiree's life annuity shall be reduced to a certain percent of the annuity otherwise payable. Such percent shall be eighty-one percent adjusted as follows: if the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of four-tenths of one percent for each year the retiree's age is younger than sixty-seven years; and if the beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of five-tenths of one percent for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the annuity starting date, an increase of five-tenths of one percent for each year of age difference; provided, after all adjustments the option 2 percent cannot

exceed eighty-seven and three quarter percent. Upon the retiree's death one hundred percent of the retiree's reduced annuity shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise provided by subsection 5 of this section.

Option 3. A retiree's life annuity shall be reduced to ninety-three percent of the annuity otherwise payable. If the retiree dies before having received one hundred twenty monthly payments, the reduced annuity shall be continued for the remainder of the one hundred twenty-month period to the retiree's designated beneficiary provided that if there is no beneficiary surviving the retiree, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of such one hundred twenty monthly payments, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620.

Option 4. A retiree's life annuity shall be reduced to eighty-six percent of the annuity otherwise payable. If the retiree dies before having received one hundred eighty monthly payments, the reduced annuity shall be continued for the remainder of the one hundred eighty-month period to the retiree's designated beneficiary provided that if there is no beneficiary surviving the retiree, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of such one hundred eighty monthly payments, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620.

11. The provisions of subsection 6 of section 104.1024 shall not apply to members covered by this section.

12. Notwithstanding the other provisions of this section or the year 2000 plan to the contrary, effective January 1, 2018, a member who is not a statewide elected official or a member of the general assembly shall be eligible for retirement under this subsection subject to the following conditions:

(1) A member's normal retirement eligibility shall be based on the attainment of at least age sixty-seven and the completion of at least five years of credited service; or the member's attainment of at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, such member's attainment of at least age sixty or the attainment of at least age fifty-five with five years of credited service;

(2) A vested former member's normal retirement eligibility shall be based on the attainment of at least age sixty-seven and the completion of at least five years of credited service;

(3) A temporary annuity paid under subsection 4 of section 104.1024 shall be payable if the member has attained at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, the temporary annuity shall be payable if the member has attained at least age sixty, or at least age fifty-five with five years of credited service;

(4) A member, other than a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, shall be eligible for an early

retirement annuity upon the attainment of at least age sixty-two and the completion of at least five years of credited service. A vested former member shall not be eligible for early retirement;

(5) The normal and early retirement eligibility requirements in this subsection shall apply for purposes of administering section 104.1087;

(6) The survivor annuity payable under section 104.1030 for vested former members covered by this section shall not be payable until the deceased member would have reached his or her normal retirement eligibility under this subsection;

(7) The annual cost-of-living adjustment payable under section 104.1045 shall not commence until the second anniversary of a vested former member's annuity starting date for members covered by this subsection; and

(8) The unused sick leave credit granted under subsection 2 of section 104.1021 shall not apply to members covered by this subsection unless the member terminates employment after reaching normal retirement eligibility or becoming eligible for an early retirement annuity under this subsection.”; and

Further amend said bill and page, section 104.1094, line 5, by striking number “17” and inserting in lieu thereof the following: “**16**”; and further amend line 11 by striking the word “ten” and inserting in lieu thereof the following: “**five**”; and further amend line 26 by striking the word “ten” and inserting in lieu thereof the following: “**five**”; and

Further amend said bill and section, page 9, line 5, by striking the word “ten” and inserting in lieu thereof the following: “**five**”; and further amend line 10 by striking the number “17” and inserting in lieu thereof the following: “**16**”; and further amend said line by striking the word “The”; and further amend lines 11-16 by striking all of said lines; and

Further amend said bill and section, page 12, line 9, by striking the number “17” and inserting in lieu thereof the following: “**16**”; and further amend line 18 by striking the number “17” and inserting in lieu thereof the following: “**16**”; and

Further amend said bill and section, page 15, lines 1-10, by striking all of said lines from the bill; and further amend line 12 by striking the number “17” and inserting in lieu thereof the following: “**16**”; and further amend line 19 by striking the number “17” and inserting in lieu thereof the following: “**16**”; and further renumber the remaining subsections accordingly; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Koenig, **SB 228**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

Senator Hegeman moved that **SB 62** be taken up for perfection, which motion prevailed.

Senator Hegeman offered **SS** for **SB 62**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 62

An Act to repeal section 104.1205, RSMo, and to enact in lieu thereof one new section relating to

retirement of higher education employees, with an effective date.

Senator Hegeman moved that **SS** for **SB 62** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SS** for **SB 62** was declared perfected and ordered printed.

SB 314 and **SB 340**, with **SCS**, was placed on the Informal Calendar.

Senator Cunningham moved that **SB 34** be taken up for perfection, which motion prevailed.

Senator Cunningham offered **SS** for **SB 34**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 34

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to the offense of illegal reentry, with penalty provisions.

Senator Cunningham moved that **SS** for **SB 34** be adopted.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 34, Page 1, Section 577.685, Lines 9-10, by striking the words “or any felony offense” and inserting in lieu thereof the following: “, **any dangerous felony offense as the term “dangerous felony” is defined section 556.061, any felony offense under chapter 579, with the exception of any offense involving the possession of marijuana, any offense under section 570.030, or any offense under section 570.217**”; and further amend line 13 by striking the words “or a felony offense” and inserting in lieu thereof the following: “, **any dangerous felony offense as the term “dangerous felony” is defined in section 556.061, any felony offense under chapter 579, with the exception of any offense involving the possession of marijuana, any offense under section 570.030, or any offense under section 570.217**”.

Senator Riddle assumed the Chair.

President Parson assumed the Chair.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 34, Page 1, Section 577.685, Line 8, by inserting immediately after “(1)” the following: “**Unlawfully**”.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Cunningham moved that **SS** for **SB 34**, as amended, be adopted, which motion prevailed.

Senator Cunningham requested a roll call vote be taken on the perfection of **SS** for **SB 34**, as amended, and was joined in his request by Senators Emery, Hegeman, Schatz and Wallingford.

On motion of Senator Cunningham, **SS** for **SB 34**, as amended, was declared perfected and ordered

printed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schaaf
Schatz	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Curls	Schupp	Walsh—3
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Absent—Senator Sifton—1

Absent with leave—Senators

Chappelle-Nadal	Hummel	Nasheed—3
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Vacancies—1

Senator Schatz moved that **SB 65** be taken up for perfection, which motion prevailed.

On motion of Senator Schatz, **SB 65** was declared perfected and ordered printed.

At the request of Senator Onder, **SB 185**, with **SCS**, was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 62**; **SCS** for **SB 11**; and **SCS** for **SB 139**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SCS** for **SB 139** to the Committee on Fiscal Oversight.

Senator Dixon requested unanimous consent of the Senate that **SB 128**, with **SCS**, be returned to the Committee on the Judiciary and Civil and Criminal Jurisprudence, which request was granted.

INTRODUCTION OF GUESTS

Senator Munzlinger introduced to the Senate, representatives of the University of Missouri Extension EXCEL program, Randolph County.

Senator Holsman introduced to the Senate, former State Representative Jason Klumb, Kansas City.

Senator Schupp introduced to the Senate, Mary Louise Pabello, Creve Coeur; and Sara John, Bridget White, Patricia Garcia, Geraldine Hannon, Catherine Morelix and representatives of Missouri Immigrant and Refugee Advocates (MIRA).

The President introduced to the Senate, Lesia Hessee.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, March 8, 2017.

SENATE CALENDAR

THIRTY-SIXTH DAY—WEDNESDAY, MARCH 8, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 506-Silvey	SB 526-Brown
SB 507-Nasheed	SB 527-Brown
SB 508-Nasheed	SB 528-Hegeman
SB 509-Dixon	SB 529-Hegeman
SB 510-Dixon	SB 530-Hegeman
SB 511-Dixon	SB 531-Hoskins
SB 512-Dixon	SB 532-Hoskins
SB 513-Dixon	SB 533-Eigel
SB 514-Onder	SB 534-Eigel
SB 515-Munzlinger	SB 535-Wallingford
SB 516-Munzlinger	SB 536-Wallingford
SB 517-Wasson	SB 537-Chappelle-Nadal
SB 518-Emery	SB 538-Chappelle-Nadal
SB 519-Emery	SB 539-Chappelle-Nadal
SB 520-Emery	SB 540-Curls
SB 521-Kraus	SB 541-Schupp
SB 522-Sifton	SB 542-Schatz
SB 523-Sater	SB 543-Schatz
SB 524-Koenig	SB 544-Rowden
SB 525-Riddle	

HOUSE BILLS ON SECOND READING

HCS for HB 115	HB 655-Engler
HCS for HB 138	HCS for HB 50
HCS for HB 662	HB 94-Lauer
HB 288-Fitzpatrick	HCS for HB 451

HB 93-Lauer
 HB 289-Fitzpatrick
 HCS for HB 225
 HCS for HB 292
 HB 207-Fitzwater

HB 493-Bondon
 HB 169-Curtman
 HCS for HB 661
 HB 700-Cookson

THIRD READING OF SENATE BILLS

SS for SCS for SB 66-Schatz
 (In Fiscal Oversight)
 SS for SB 62-Hegeman

SCS for SB 11-Wasson
 SCS for SB 139-Sater
 (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 10-Wasson and Richard, with SCS
2. SB 199-Wasson
3. SB 349-Wasson
4. SB 293-Romine
5. SB 190-Emery and Nasheed, with SCS
6. SB 184-Emery
7. SB 22-Chappelle-Nadal
8. SB 32-Emery, with SCS
9. SB 258-Munzlinger
10. SB 259-Munzlinger
11. SB 260-Munzlinger
12. SB 261-Munzlinger
13. SB 262-Munzlinger
14. SB 213-Rowden, with SCS
15. SB 123-Munzlinger
16. SB 283-Hegeman
17. SB 284-Hegeman, with SCS
18. SB 124-Wasson
19. SB 35-Cunningham
20. SB 114-Schatz
21. SB 247-Kraus, with SCS
22. SB 325-Kraus
23. SBs 285 & 17-Koenig, with SCS
24. SB 160-Sater, with SCS

25. SB 41-Wallingford and Emery
26. SB 67-Onder, et al
27. SB 195-Koenig
28. SB 18-Kraus
29. SB 290-Schatz, with SCS
30. SB 330-Munzlinger
31. SBs 44 & 63-Romine, with SCS
32. SB 328-Romine, with SCS
33. SB 188-Munzlinger, with SCS
34. SB 102-Cunningham, with SCS
35. SB 303-Wieland, with SCS
36. SB 49-Walsh, with SCS
37. SB 147-Romine
38. SJR 9-Romine, with SCS
39. SB 122-Munzlinger, with SCS
40. SB 227-Koenig, with SCS
41. SB 210-Onder, with SCS
42. SB 220-Riddle, with SCS
43. SB 97-Sater, with SCS
44. SB 176-Dixon
45. SB 13-Dixon
46. SB 177-Dixon, with SCS
47. SB 68-Onder and Nasheed
48. SB 126-Wasson

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| 49. SB 221-Riddle | 81. SB 183-Hoskins, with SCS |
| 50. SB 83-Dixon | 82. SB 130-Kraus, with SCS |
| 51. SB 99-Emery | 83. SB 80-Wasson, with SCS |
| 52. SB 171-Dixon and Sifton, with SCS | 84. SB 250-Kehoe |
| 53. SB 158-Dixon | 85. SJR 12-Eigel |
| 54. SB 157-Dixon, with SCS | 86. SB 144-Wallingford |
| 55. SB 81-Dixon | 87. SB 280-Hoskins, with SCS |
| 56. SB 178-Dixon | 88. SB 115-Schupp, with SCS |
| 57. SB 204-Sifton | 89. SB 362-Hummel |
| 58. SB 84-Kraus, with SCS | 90. SB 298-Curls |
| 59. SB 163-Romine | 91. SB 234-Libla, with SCS |
| 60. SB 242-Emery, with SCS | 92. SB 442-Hegeman |
| 61. SB 371-Schaaf | 93. SB 76-Munzlinger |
| 62. SB 333-Schaaf, with SCS | 94. SB 389-Sater, with SCS |
| 63. SB 295-Schaaf, with SCS | 95. SB 286-Rizzo |
| 64. SB 409-Koenig | 96. SB 267-Schatz, with SCS |
| 65. SB 141-Emery | 97. SB 383-Eigel and Wieland |
| 66. SB 203-Sifton, with SCS | 98. SB 336-Wieland |
| 67. SB 410-Schatz | 99. SB 223-Schatz, with SCS |
| 68. SB 368-Rowden | 100. SB 263-Riddle |
| 69. SB 331-Hegeman | 101. SB 243-Hegeman |
| 70. SB 348-Wasson | 102. SB 156-Munzlinger, with SCS |
| 71. SB 406-Wasson and Sater | 103. SB 85-Kraus, with SCS |
| 72. SB 142-Emery | 104. SB 180-Nasheed, with SCS |
| 73. SB 129-Dixon and Sifton, with SCS | 105. SB 233-Wallingford |
| 74. SB 96-Sater and Emery | 106. SB 61-Hegeman, with SCS |
| 75. SB 103-Wallingford | 107. SJR 11-Hegeman, with SCS |
| 76. SB 196-Koenig | 108. SB 358-Wieland |
| 77. SB 230-Riddle | 109. SB 316-Rowden, with SCS |
| 78. SB 88-Brown, with SCS | 110. SB 376-Hoskins |
| 79. SB 200-Libla | 111. SB 252-Dixon, with SCS |
| 80. SB 201-Onder, with SCS | |

HOUSE BILLS ON THIRD READING

HB 251-Taylor, with SCS (Onder)
HCS for HB 130, with SCS (Onder)

HB 95-McGaugh (Emery)
HB 153-Corlew (Libla)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SB 185-Onder, et al, with SCS
SB 6-Richard, with SCS	SB 189-Kehoe, with SCS
SB 20-Brown	SB 228-Koenig, with SS & SA 1 (pending)
SB 21-Brown	SBs 314 & 340-Schatz, et al, with SCS
SB 28-Sater, with SCS (pending)	
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	

CONSENT CALENDAR

Senate Bills

Reported 3/2

SB 296-Hummel	SB 112-Schatz, with SCS
SB 394-Romine	SB 353-Wallingford
SB 334-Sater, with SCS	SB 366-Koenig
SB 363-Chappelle-Nadal	SB 302-Wieland
SB 279-Kraus, with SCS	SB 222-Riddle
SB 332-Hegeman	SB 282-Hegeman
SB 93-Curls, with SCS	SB 329-Kehoe

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe	SCR 14-Hoskins
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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SIXTH DAY—WEDNESDAY, MARCH 8, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“And those who know Your name put their trust in You, for You, O Lord, have not forsaken those who seek You.” (Psalm 9:10)

Almighty God, You are the giver of all good things, the wherewithals of life You provide daily. You give us faith that must be mined, explored and understood for it then sustains us; inspire us and provide us with a trust in You so we may lead as You give us guidance. Help us to do what is the most loving thing we can for others, increase our appreciation for our staff who are there for us and direct us to provide laws that are truly helpful for our people. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kraus offered Senate Resolution No. 422, regarding the 2016-2017 Class 2 State Champion Oak Grove High School Panthers wrestling program, which was adopted.

Senator Kehoe offered Senate Resolution No. 423, regarding the American Red Cross of Central and Northern Missouri, which was adopted.

Senator Hegeman requested unanimous consent of the Senate to withdraw **SB 529**, which request was granted.

HOUSE BILLS ON THIRD READING

At the request of Senator Onder, **HB 251**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 130**, with **SCS**, introduced by Representative Mathews, entitled:

An Act to amend chapter 387, RSMo, by adding thereto twenty-two new sections relating to transportation network companies, with penalty provisions.

Was taken up by Senator Onder.

SCS for **HCS** for **HB 130**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 130

An Act to repeal section 67.1819, RSMo, and to enact in lieu thereof twenty-five new sections relating to transportation network companies, with penalty provisions.

Was taken up.

Senator Onder moved that **SCS** for **HCS** for **HB 130** be adopted.

Senator Onder offered **SS** for **SCS** for **HCS** for **HB 130**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 130

An Act to repeal section 67.1819, RSMo, and to enact in lieu thereof twenty-five new sections relating to transportation network companies, with penalty provisions.

Senator Onder moved that **SS** for **SCS** for **HCS** for **HB 130** be adopted.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 11, Section 387.430, Line 16 of said page, by inserting after all of said line the following:

“5. (1) Notwithstanding any other provision of law, no municipality or other local or state entity may impose a nongenerally applied tax on a taxicab, limousine, or for-hire vehicle as defined in chapter 390, or on a car rental company or rental agreement as defined in chapter 407.

(2) Nothing in this section shall prohibit a business license fee imposed on car rental agencies to fund a downtown arena in any home rule city with more than four hundred thousand inhabitants and located in more than one county.”.

Senator Onder moved that the above amendment be adopted.

Senator Silvey offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 1, Lines 8-9, by striking the words “business license”.

Senator Silvey moved that the above amendment be adopted.

At the request of Senator Onder, **SA 1** was withdrawn, rendering **SA 1** to **SA 1** moot.

Senator Nasheed offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 1, Section A, Line 7 of said page, by inserting after all of said line the following:

“67.1809. 1. The regional taxicab commission established under section 67.1804 may license, supervise, and regulate any person who engages in the business of transporting passengers in commerce, wholly within the regional taxicab district established in section 67.1802, in any motor vehicle designed or used to transport not more than eight passengers, including the driver. The powers granted to the regional taxicab commission under this section shall apply to the motor vehicles described in this subsection and to the persons owning or operating those vehicles:

(1) Whether or not the vehicles are equipped with a taximeter or use a taximeter; and

(2) Whether the vehicles are operated by a for-hire motor carrier of passengers or by a private motor carrier of passengers not for hire or compensation.

2. This section shall apply, notwithstanding any provisions of this chapter or of subsection 2 of section 390.126 to the contrary, except that the vehicles described in subsection 1 of this section, and the operators of such vehicles, shall be licensed, supervised, and regulated by the state highways and transportation commission, as provided under section 226.008, instead of the regional taxicab commission, whenever:

(1) Such motor vehicles transport passengers within the district in interstate commerce, and those interstate operations are subject to the powers of the state highways and transportation commission under section 226.008;

(2) Such motor vehicles are operated exclusively by a not-for-profit corporation or governmental entity, whose passenger transportation within the regional taxicab district is subsidized, wholly or in part, with public transit funding provided by the state highways and transportation commission, the Federal Transit Administration, or both;

(3) Such vehicles transport one or more passengers on the public highways in a continuous journey from a place of origin within the regional taxicab district to a destination outside the district, or from a place of origin outside the district to a destination within the district, either with or without a return trip to the point

of origin. Such continuous transportation of passengers between points within and without the district is subject to regulation by the state highways and transportation commission, even if the journey includes temporary stops at one or more intermediate destinations within the boundaries of the district.

3. The provisions of subdivision (3) of subsection 2 of this section shall not limit the powers of the regional taxicab commission under this section to license, supervise, and regulate the transportation of any passenger whose journey by motor vehicle takes place wholly within the regional taxicab district, even if transported on the same vehicle with other passengers whose transportation, both within and without the boundaries of the district, is subject to the exclusive powers of the state highways and transportation commission. A motor carrier or driver who transports passengers subject to the powers of the regional taxicab commission, under subsection 1 of this section, on the same vehicle with passengers whose transportation is subject to the powers of the state highways and transportation commission, under subsection 2 of this section, shall comply with all applicable requirements of the regional taxicab commission and with all applicable requirements of the state highways and transportation commission.

4. No provision within this chapter shall be interpreted or construed as limiting the powers of the state highways and transportation commission and its enforcement personnel, the state highway patrol and its officers and personnel, or any other law enforcement officers or peace officers to enforce any safety requirements or hazardous materials regulations made applicable by law to the motor vehicles, drivers, or persons that own or operate any motor vehicles described in this section.

5. Every individual person, partnership, or corporation subject to licensing, regulation, and supervision by the regional taxicab commission under this section, with reference to any transportation of passengers by a motor vehicle previously authorized by a certificate or permit issued by the state highways and transportation commission under section 390.051 or 390.061, which certificate or permit was in active status and not suspended or revoked on August 27, 2005, according to the records of the state highways and transportation commission, is hereby deemed to be licensed, permitted, and authorized by the regional taxicab commission, and the vehicles and drivers used by such motor carriers are hereby deemed to be licensed, permitted, and authorized by the regional taxicab commission to operate and engage in the transportation of passengers within the regional taxicab district, to the same extent as they formerly were licensed, permitted, and authorized by the highways and transportation commission on August 27, 2005. Such motor carriers, drivers, and vehicles shall be exempted from applying for any license, certificate, permit, or other credential issued or required by the regional taxicab commission under sections 67.1800 to 67.1822, except that the regional taxicab commission may, after December 31, 2005, require such motor carriers and drivers to apply and pay the regular fees for annual renewals of such licenses, permits, certificates, or other credentials under uniform requirements applicable to all motor carriers, vehicles, and drivers operating within the regional taxicab district.

6. Nothing in sections 67.1800 to 67.1822 shall be construed as granting the regional taxicab commission the authority to license, supervise, or regulate medical transportation.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

Senator Schaaf offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 11, Section 387.430, Line 16 of said page, by inserting after all of said line the following:

“5. (1) Notwithstanding any other provision of law, no municipality or other local or state entity may impose a nongenerally applied tax on a taxicab, limousine, or for-hire vehicle as defined in chapter 390, or on a car rental company or rental agreement as defined in chapter 407.

(2) Nothing in this section shall prohibit a fee imposed on car rental agencies in any home rule city with more than four hundred thousand inhabitants and located in more than one county.”.

Senator Schaaf moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Silvey raised the point of order that **SA 3** goes beyond the scope of the title of the bill. The point of order was referred to the President Pro Tem.

At the request of Senator Schaaf, **SA 3** was withdrawn, rendering the point of order moot.

Senator Rizzo offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 13, Section 387.438, Line 15, by inserting after all of said line the following:

“387.439. 1. (1) A TNC shall not deny or manipulate access to its digital network or engage in any deceptive, manipulative, or coordinated practice to evade a law enforcement entity, including by canceling a ride request by a rider or prospective rider relating to association with a law enforcement entity.

(2) A first violation of this subsection shall be punishable by a fine of fifty thousand dollars. A second violation of this subsection shall be punishable by a fine of one hundred fifty thousand dollars. A third or subsequent violation of this subsection shall be punishable by a fine of three hundred thousand dollars.

2. A TNC shall not produce or operate, or allow to be produced or operated, any digital network or similar technology that falsely displays the number of TNC vehicles available to provide prearranged rides for the purpose of misleading riders or potential riders about the number of TNC vehicles available to provide such rides.

3. A TNC shall not use geographic location or geolocation data of a rider or prospective rider for the purpose of excluding certain areas on the basis of the income, racial, or ethnic composition of such area.

4. A violation of this section shall be punishable by a one month suspension of the TNC's license.”;
and

Further amend the title and enacting clause accordingly.

Senator Kraus assumed the Chair.

President Parson assumed the Chair.

Senator Rizzo moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Onder, **HCS** for **HB 130**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SB 34**; and **SB 65** begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 122**, entitled:

An Act to repeal section 334.010, RSMo, and to enact in lieu thereof one new section relating to physicians providing sports medicine services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 353**, entitled:

An Act to repeal sections 115.117, 115.124, and 115.125, RSMo, and to enact in lieu thereof three new sections relating to elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

COMMUNICATIONS

Senator Schaaf submitted the following:

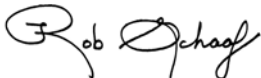
March 8, 2017

Adriane Crouse
Secretary of the Senate
State Capitol, Rm. 325
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Madam Secretary:

Pursuant to Rule 45, I object to the placement of SB 353 on the Senate Consent Calendar and respectfully request it be removed.

Sincerely,



Rob Schaaf

INTRODUCTION OF GUESTS

Senator Kehoe introduced to the Senate, Danny Kehoe, and his son, Ben; and teacher Mrs. Grothoff, parents and 22 fourth grade students from St. Francis Xavier Catholic School, Taos.

Senator Dixon introduced to the Senate, Amy Unser, Breanne Schnabel, Brian Drane, Brittney Mickelson, Chris Barboa, Jill San Paolo, Katie Carlisle, Kendal Dingus, Melanie Setser, Michael Floyd, Missy Montgomery, Ryan Cosby, Samantha Wheeler, Terri Choate, Teri Cantwell, Amy Sharp, Cathy Smith, David Thater, Marita Thomas, Barbra Wallace, Joselyn Baldner and Russ Marquart, representatives of Central Connect Leadership Class.

Senator Schaaf introduced to the Senate, teacher Derek Frieling; and Brynne Dobosz, Kylie Ralston, Ashton Pilgram, Bailee Culver and Trinity Issacs, Lafayette High School, St. Joseph.

Senator Riddle introduced to the Senate, constituents from the 10th Senatorial District.

Senator Nasheed introduced to the Senate, former State Senator Robin Wright-Jones; and representatives of Empower Missouri, St. Louis.

Senator Sifton introduced to the Senate, representatives of Leadership St. Louis Class of 2016-2017.

Senator Wasson introduced to the Senate, Candis and Mark Buxton, and their son, Josh, Strafford; Jackson Dascher, Highlandville; Kruz Jackson, Fair Grove; and William Bruner, Republic, eighth grade students at Lighthouse Christian Academy.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-SEVENTH DAY—THURSDAY, MARCH 9, 2017

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 506-Silvey
SB 507-Nasheed
SB 508-Nasheed
SB 509-Dixon
SB 510-Dixon
SB 511-Dixon
SB 512-Dixon
SB 513-Dixon
SB 514-Onder
SB 515-Munzlinger
SB 516-Munzlinger
SB 517-Wasson

SB 518-Emery
SB 519-Emery
SB 520-Emery
SB 521-Kraus
SB 522-Sifton
SB 523-Sater
SB 524-Koenig
SB 525-Riddle
SB 526-Brown
SB 527-Brown
SB 528-Hegeman
SB 530-Hegeman

SB 531-Hoskins
 SB 532-Hoskins
 SB 533-Eigel
 SB 534-Eigel
 SB 535-Wallingford
 SB 536-Wallingford
 SB 537-Chappelle-Nadal

SB 538-Chappelle-Nadal
 SB 539-Chappelle-Nadal
 SB 540-Curls
 SB 541-Schupp
 SB 542-Schatz
 SB 543-Schatz
 SB 544-Rowden

HOUSE BILLS ON SECOND READING

HCS for HB 115
 HCS for HB 138
 HCS for HB 662
 HB 288-Fitzpatrick
 HB 655-Engler
 HCS for HB 50
 HB 94-Lauer
 HCS for HB 451
 HB 93-Lauer
 HB 289-Fitzpatrick

HCS for HB 225
 HCS for HB 292
 HB 207-Fitzwater
 HB 493-Bondon
 HB 169-Curtman
 HCS for HB 661
 HB 700-Cookson
 HCS for HB 122
 HCS for HB 353

THIRD READING OF SENATE BILLS

SS for SCS for SB 66-Schatz
 (In Fiscal Oversight)
 SS for SB 62-Hegeman
 SCS for SB 11-Wasson

SCS for SB 139-Sater
 (In Fiscal Oversight)
 SS for SB 34-Cunningham
 SB 65-Schatz

SENATE BILLS FOR PERFECTION

1. SB 10-Wasson and Richard, with SCS
2. SB 199-Wasson
3. SB 349-Wasson
4. SB 293-Romine
5. SB 190-Emery and Nasheed, with SCS
6. SB 184-Emery
7. SB 22-Chappelle-Nadal
8. SB 32-Emery, with SCS
9. SB 258-Munzlinger
10. SB 259-Munzlinger
11. SB 260-Munzlinger
12. SB 261-Munzlinger

13. SB 262-Munzlinger
14. SB 213-Rowden, with SCS
15. SB 123-Munzlinger
16. SB 283-Hegeman
17. SB 284-Hegeman, with SCS
18. SB 124-Wasson
19. SB 35-Cunningham
20. SB 114-Schatz
21. SB 247-Kraus, with SCS
22. SB 325-Kraus
23. SBs 285 & 17-Koenig, with SCS
24. SB 160-Sater, with SCS

25. SB 41-Wallingford and Emery
26. SB 67-Onder, et al
27. SB 195-Koenig
28. SB 18-Kraus
29. SB 290-Schatz, with SCS
30. SB 330-Munzlinger
31. SBs 44 & 63-Romine, with SCS
32. SB 328-Romine, with SCS
33. SB 188-Munzlinger, with SCS
34. SB 102-Cunningham, with SCS
35. SB 303-Wieland, with SCS
36. SB 49-Walsh, with SCS
37. SB 147-Romine
38. SJR 9-Romine, with SCS
39. SB 122-Munzlinger, with SCS
40. SB 227-Koenig, with SCS
41. SB 210-Onder, with SCS
42. SB 220-Riddle, with SCS
43. SB 97-Sater, with SCS
44. SB 176-Dixon
45. SB 13-Dixon
46. SB 177-Dixon, with SCS
47. SB 68-Onder and Nasheed
48. SB 126-Wasson
49. SB 221-Riddle
50. SB 83-Dixon
51. SB 99-Emery
52. SB 171-Dixon and Sifton, with SCS
53. SB 158-Dixon
54. SB 157-Dixon, with SCS
55. SB 81-Dixon
56. SB 178-Dixon
57. SB 204-Sifton
58. SB 84-Kraus, with SCS
59. SB 163-Romine
60. SB 242-Emery, with SCS
61. SB 371-Schaaf
62. SB 333-Schaaf, with SCS
63. SB 295-Schaaf, with SCS
64. SB 409-Koenig
65. SB 141-Emery
66. SB 203-Sifton, with SCS
67. SB 410-Schatz
68. SB 368-Rowden
69. SB 331-Hegeman
70. SB 348-Wasson
71. SB 406-Wasson and Sater
72. SB 142-Emery
73. SB 129-Dixon and Sifton, with SCS
74. SB 96-Sater and Emery
75. SB 103-Wallingford
76. SB 196-Koenig
77. SB 230-Riddle
78. SB 88-Brown, with SCS
79. SB 200-Libla
80. SB 201-Onder, with SCS
81. SB 183-Hoskins, with SCS
82. SB 130-Kraus, with SCS
83. SB 80-Wasson, with SCS
84. SB 250-Kehoe
85. SJR 12-Eigel
86. SB 144-Wallingford
87. SB 280-Hoskins, with SCS
88. SB 115-Schupp, with SCS
89. SB 362-Hummel
90. SB 298-Curls
91. SB 234-Libla, with SCS
92. SB 442-Hegeman
93. SB 76-Munzlinger
94. SB 389-Sater, with SCS
95. SB 286-Rizzo
96. SB 267-Schatz, with SCS
97. SB 383-Eigel and Wieland
98. SB 336-Wieland
99. SB 223-Schatz, with SCS
100. SB 263-Riddle
101. SB 243-Hegeman
102. SB 156-Munzlinger, with SCS
103. SB 85-Kraus, with SCS
104. SB 180-Nasheed, with SCS
105. SB 233-Wallingford
106. SB 61-Hegeman, with SCS
107. SJR 11-Hegeman, with SCS
108. SB 358-Wieland
109. SB 316-Rowden, with SCS
110. SB 376-Hoskins
111. SB 252-Dixon, with SCS

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)

HB 153-Corlew (Libla)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 6-Richard, with SCS

SB 20-Brown

SB 21-Brown

SB 28-Sater, with SCS (pending)

SBs 37 & 244-Silvey, with SCS,
SS for SCS & SA 1 (pending)

SB 185-Onder, et al, with SCS

SB 189-Kehoe, with SCS

SB 228-Koenig, with SS & SA 1 (pending)

SBs 314 & 340-Schatz, et al, with SCS

HOUSE BILLS ON THIRD READING

HCS for HB 130, with SCS & SS for SCS
(pending) (Onder)

HB 251-Taylor, with SCS (Onder)

CONSENT CALENDAR

Senate Bills

Reported 3/2

SB 296-Hummel

SB 394-Romine

SB 334-Sater, with SCS

SB 363-Chappelle-Nadal

SB 279-Kraus, with SCS

SB 332-Hegeman

SB 93-Curls, with SCS

SB 112-Schatz, with SCS

SB 366-Koenig

SB 302-Wieland

SB 222-Riddle

SB 282-Hegeman

SB 329-Kehoe

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-SEVENTH DAY—THURSDAY, MARCH 9, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“But know that the Lord has set apart the faithful for himself; the Lord hears when I call to him.” (Psalm 4:3)

We need You, O God, for as we travel home this day we have time to think on You and the seasons of our lives and seek to know how we are doing in our varied relationships and with You our God. We need You in our lives and ask for faith that reminds us that You are with us as we travel about or at home with loved ones. So Lord we ask, bless us and watch over us, as You are permeating our days with Your love. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 424, regarding Cameron Gehlert, Linn, which was adopted.

Senator Kehoe offered Senate Resolution No. 425, regarding the death of Marvin L. “Bud” Ulstad, Jefferson City, which was adopted.

Senator Schupp offered Senate Resolution No. 426, regarding Gerald W. “Gerry” Cohen, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 427, regarding Monte Martian Safron, Chesterfield, which was adopted.

Senator Schupp offered Senate Resolution No. 428, regarding Edwin Wallace “Ed” Morton, Manchester, which was adopted.

Senators Munzlinger and Riddle offered Senate Resolution No. 429, regarding the Monroe City United Methodist Church, which was adopted.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schaaf, Chairman of the Committee on Health and Pensions, submitted the following reports:

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 117**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 138**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following reports:

Mr. President: Your Committee on Economic Development, to which was referred **SB 271**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 426**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 46**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **SCS** for **SB 139** and **SS** for **SCS** for **SB 66**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 145**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 405**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 384**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Libla, Chairman of the Committee on Small Business and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 404**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 392**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 30**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 411**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 161**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 134**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following report:

Mr. President: Your Committee on Insurance and Banking, to which were referred **SB 300** and **SB 306**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 353**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 381**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 418**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HBs 302** and **228**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Onder, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **SB 486**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on General Laws, to which was referred **SB 488**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

President Parson assumed the Chair.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Doctor Randall W. Williams, as Director of Department of Health and Senior Services, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said

appointment.

Senator Richard moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following report:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Lieutenant Colonel Sandra K. Karsten, as Superintendent of the Missouri State Highway Patrol, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Kehoe moved that the committee report be adopted and the Senate do give its advice and consent to the above appointment, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 506—Government Reform.

SB 507—Local Government and Elections.

SB 508—Local Government and Elections.

SB 509—Judiciary and Civil and Criminal Jurisprudence.

SB 510—Transportation, Infrastructure and Public Safety.

SB 511—Judiciary and Civil and Criminal Jurisprudence.

SB 512—Judiciary and Civil and Criminal Jurisprudence.

SB 513—Judiciary and Civil and Criminal Jurisprudence.

SB 514—Commerce, Consumer Protection, Energy and the Environment.

SB 515—Transportation, Infrastructure and Public Safety.

SB 516—Health and Pensions.

SB 517—Economic Development.

SB 518—Health and Pensions.

SB 519—Government Reform.

SB 520—Judiciary and Civil and Criminal Jurisprudence.

SB 521—Ways and Means.

SB 522—Transportation, Infrastructure and Public Safety.

SB 523—Seniors, Families and Children.

SB 524—Government Reform.

SB 525—Commerce, Consumer Protection, Energy and the Environment.

SB 526—Appropriations.

SB 527—Health and Pensions.

SB 528—Agriculture, Food Production and Outdoor Resources.

SB 530—Local Government and Elections.

SB 531—Seniors, Families and Children.

SB 532—Health and Pensions.

SB 533—Health and Pensions.

SB 534—Education.

SB 535—Seniors, Families and Children.

SB 536—Professional Registration.

SB 537—Judiciary and Civil and Criminal Jurisprudence.

SB 538—Health and Pensions.

SB 539—Judiciary and Civil and Criminal Jurisprudence.

SB 540—Professional Registration.

SB 541—Commerce, Consumer Protection, Energy and the Environment.

SB 542—Transportation, Infrastructure and Public Safety.

SB 543—Transportation, Infrastructure and Public Safety.

SB 544—General Laws.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Onder, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **SB 421**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Riddle requested unanimous consent of the Senate that **SB 353** be returned to the Committee on Professional Registration, which request was granted.

President Parson assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 115—Economic Development.

HCS for HB 138—Education.

HCS for HB 662—Agriculture, Food Production and Outdoor Resources.

HB 288—Small Business and Industry.

HB 655—Economic Development.

HCS for HB 50—Judiciary and Civil and Criminal Jurisprudence.

HB 94—Education.

HCS for HB 451—Local Government and Elections.

HB 93—Economic Development.

HB 289—Small Business and Industry.

HCS for HB 225—Transportation, Infrastructure and Public Safety.

HCS for HB 292—Insurance and Banking.

HB 207—Transportation, Infrastructure and Public Safety.

HB 493—Small Business and Industry.

HB 169—General Laws.

HCS for HB 661—Commerce, Consumer Protection, Energy and the Environment.

HB 700—Transportation, Infrastructure and Public Safety.

THIRD READING OF SENATE BILLS

SS for SCS for SB 66, introduced by Senator Schatz, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 66

An Act to repeal sections 287.020, 287.149, 287.170, 287.243, and 287.390, RSMo, and to enact in lieu thereof five new sections relating to workers' compensation.

Was taken up.

On motion of Senator Schatz, **SS for SCS for SB 66** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schaaf	Schatz
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Rizzo	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 62, introduced by Senator Hegeman, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 62

An Act to repeal section 104.1205, RSMo, and to enact in lieu thereof one new section relating to retirement of higher education employees, with an effective date.

Was taken up.

On motion of Senator Hegeman, **SS for SB 62** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 11, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 11

An Act to repeal sections 100.010 and 100.180, RSMo, and to enact in lieu thereof two new sections

relating to industrial development projects.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **SCS** for **SB 11** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Chappelle-Nadal—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 139**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 139

An Act to amend chapter 338, RSMo, by adding thereto two new sections relating to the promotion of medication safety.

Was taken up by Senator Sater.

On motion of Senator Sater, **SCS** for **SB 139** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senators

Koenig	Schupp	Walsh—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 34, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 34

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to the offense of illegal reentry, with penalty provisions.

Was taken up.

On motion of Senator Cunningham, **SS for SB 34** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schaaf
Schatz	Sifton	Silvey	Wallingford	Wasson	Wieland—27	

NAYS—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Schupp	Walsh—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 65, introduced by Senator Schatz, entitled:

An Act to repeal section 306.126, RSMo, and to enact in lieu thereof one new section relating to boat passengers.

Was taken up.

On motion of Senator Schatz, **SB 65** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Onder moved that **HCS** for **HB 130**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS for **SCS** for **HCS** for **HB 130** was again taken up.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

Senator Wieland offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 15, Section 387.440, Line 8, by inserting after all of said line the following:

“Section 1. Before acting as a TNC driver within this state, a driver shall include as a loss payee on the motor vehicle insurance policy required to be in effect pursuant to the provisions of chapter 303 the name of the transportation network company or companies whose digital network or networks the driver accesses.”; and

Further amend the title and enacting clause accordingly.

Senator Wieland moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Kehoe, Rowden and Walsh.

SA 5 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Dixon	Holsman	Hummel	Schupp	Sifton	Walsh
Wieland—8						

NAYS—Senators

Brown	Cunningham	Curls	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schatz

Wasson—22

Absent—Senators

Schaaf Wallingford—2

Absent with leave—Senator Silvey—1

Vacancies—1

Senator Kraus assumed the Chair.

President Parson assumed the Chair.

Senator Wieland offered **SA 6**, which was read:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 130, Page 8, Section 387.420, Line 8, by inserting after the word “**violence**,” the following:

“**a violation of section 304.012,**”.

Senator Wieland moved that the above amendment be adopted.

Senator Hegeman assumed the Chair.

President Parson assumed the Chair.

Senator Kehoe assumed the Chair.

President Parson assumed the Chair.

Senator Hegeman assumed the Chair.

At the request of Senator Onder, **HCS** for **HB 130**, with **SCS**, **SS** for **SCS** and **SA 6** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 1194 & 1193**, entitled:

An Act to repeal sections 285.055, 288.062, and 290.528, RSMo, and to enact in lieu thereof two new sections relating to the minimum wage, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 460**, entitled:

An Act to repeal sections 507.040, 507.050, 508.010, and 537.762, RSMo, and to enact in lieu thereof four new sections relating to civil proceedings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 339 & 714**, entitled:

An Act to repeal section 537.065, RSMo, and to enact in lieu thereof two new sections relating to settlement of tort claims.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 461**, entitled:

An Act to amend supreme court rules 52.05 and 52.06, for the purpose of severing parties who are misjoined in a civil action.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 462**, entitled:

An Act to amend supreme court rule 52.12, for the purpose of prohibiting a person from intervening in a tort action if jurisdiction and venue cannot be established independently.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 480, 272, 413 & 609**, entitled:

An Act to repeal section 324.001, RSMo, and to enact in lieu thereof two new sections relating to the division of professional registration.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 193**, entitled:

An Act to repeal section 205.205, RSMo, and to enact in lieu thereof one new section relating to taxes in hospital districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 381**, entitled:

An Act to repeal sections 191.227 and 193.245, RSMo, and to enact in lieu thereof twelve new sections relating to health care records.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 430, regarding William B. “Bill” Campey, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 431, regarding Robert Ray “Bob” Carr, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 432, regarding Wilbur Leonard “Bud” Hall, Oakville, which was adopted.

Senator Hoskins offered Senate Resolution No. 433, regarding Monica Thornburg, Wellington, which was adopted.

Senator Curls offered Senate Resolution No. 434, regarding Taylor Hurst, Raytown, which was adopted.

Senator Curls offered Senate Resolution No. 435, regarding Angelina Adams, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 436, regarding Amanda Johnson, Kansas City, which was adopted.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

March 8, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Section 21.88 of the Revised Statutes of Missouri (RSMo), I hereby appoint the following senators to the Joint Committee on the Justice System to replace Senator Eric Schmitt, Senator David Pearce, and Senator Joseph Keaveny.

Senator David Sater
Senator Bill Eigel
Senator Scott Sifton

Sincerely,



Ron Richard

President Pro Tem

INTRODUCTION OF GUESTS

Senator Holsman introduced to the Senate, Gunnar Strickland, Blue Springs.

Senator Cunningham introduced to the Senate, Bill Henry and his grandson, Drew, Ava; and Drew was made an honorary page.

Senator Kraus introduced to the Senate, students from Chapel Lakes Elementary School, Blue Springs.

Senator Kehoe introduced to the Senate, Steven Gibbons, Florissant; and Garrett Rolland, Imperial.

Senator Cunningham introduced to the Senate, teachers and students from Mountain Grove Christian Academy.

Senator Romine introduced to the Senate, the Physician of the Day, Dr. Gregory K. Terpstra, Potosi.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 13, 2017.

SENATE CALENDAR

THIRTY-EIGHTH DAY—MONDAY, MARCH 13, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 122

HCS for HB 353

HCS for HBs 1194 & 1193

HCS for HB 460

HCS for HBs 339 & 714

HB 461-Kolkmeier

HB 462-Kolkmeier

HCS for HBs 480, 272, 413 & 609

HB 193-Kelley

HCS for HB 381

SENATE BILLS FOR PERFECTION

1. SB 10-Wasson and Richard, with SCS

2. SB 199-Wasson

3. SB 349-Wasson
4. SB 293-Romine
5. SB 190-Emery and Nasheed, with SCS
6. SB 184-Emery
7. SB 22-Chappelle-Nadal
8. SB 32-Emery, with SCS
9. SB 258-Munzlinger
10. SB 259-Munzlinger
11. SB 260-Munzlinger
12. SB 261-Munzlinger
13. SB 262-Munzlinger
14. SB 213-Rowden, with SCS
15. SB 123-Munzlinger
16. SB 283-Hegeman
17. SB 284-Hegeman, with SCS
18. SB 124-Wasson
19. SB 35-Cunningham
20. SB 114-Schatz
21. SB 247-Kraus, with SCS
22. SB 325-Kraus
23. SBs 285 & 17-Koenig, with SCS
24. SB 160-Sater, with SCS
25. SB 41-Wallingford and Emery
26. SB 67-Onder, et al
27. SB 195-Koenig
28. SB 18-Kraus
29. SB 290-Schatz, with SCS
30. SB 330-Munzlinger
31. SBs 44 & 63-Romine, with SCS
32. SB 328-Romine, with SCS
33. SB 188-Munzlinger, with SCS
34. SB 102-Cunningham, with SCS
35. SB 303-Wieland, with SCS
36. SB 49-Walsh, with SCS
37. SB 147-Romine
38. SJR 9-Romine, with SCS
39. SB 122-Munzlinger, with SCS
40. SB 227-Koenig, with SCS
41. SB 210-Onder, with SCS
42. SB 220-Riddle, with SCS
43. SB 97-Sater, with SCS
44. SB 176-Dixon
45. SB 13-Dixon
46. SB 177-Dixon, with SCS
47. SB 68-Onder and Nasheed
48. SB 126-Wasson
49. SB 221-Riddle
50. SB 83-Dixon
51. SB 99-Emery
52. SB 171-Dixon and Sifton, with SCS
53. SB 158-Dixon
54. SB 157-Dixon, with SCS
55. SB 81-Dixon
56. SB 178-Dixon
57. SB 204-Sifton
58. SB 84-Kraus, with SCS
59. SB 163-Romine
60. SB 242-Emery, with SCS
61. SB 371-Schaaf
62. SB 333-Schaaf, with SCS
63. SB 295-Schaaf, with SCS
64. SB 409-Koenig
65. SB 141-Emery
66. SB 203-Sifton, with SCS
67. SB 410-Schatz
68. SB 368-Rowden
69. SB 331-Hegeman
70. SB 348-Wasson
71. SB 406-Wasson and Sater
72. SB 142-Emery
73. SB 129-Dixon and Sifton, with SCS
74. SB 96-Sater and Emery
75. SB 103-Wallingford
76. SB 196-Koenig
77. SB 230-Riddle
78. SB 88-Brown, with SCS
79. SB 200-Libla
80. SB 201-Onder, with SCS
81. SB 183-Hoskins, with SCS
82. SB 130-Kraus, with SCS

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|------------------------------|--|
| 83. SB 80-Wasson, with SCS | 102. SB 156-Munzlinger, with SCS |
| 84. SB 250-Kehoe | 103. SB 85-Kraus, with SCS |
| 85. SJR 12-Eigel | 104. SB 180-Nasheed, with SCS |
| 86. SB 144-Wallingford | 105. SB 233-Wallingford |
| 87. SB 280-Hoskins, with SCS | 106. SB 61-Hegeman, with SCS |
| 88. SB 115-Schupp, with SCS | 107. SJR 11-Hegeman, with SCS |
| 89. SB 362-Hummel | 108. SB 358-Wieland |
| 90. SB 298-Curls | 109. SB 316-Rowden, with SCS |
| 91. SB 234-Libla, with SCS | 110. SB 376-Hoskins |
| 92. SB 442-Hegeman | 111. SB 252-Dixon, with SCS |
| 93. SB 76-Munzlinger | 112. SB 117-Schupp |
| 94. SB 389-Sater, with SCS | 113. SB 138-Sater |
| 95. SB 286-Rizzo | 114. SB 271-Wasson and Richard, with SCS |
| 96. SB 267-Schatz, with SCS | 115. SB 426-Wasson, with SCS |
| 97. SB 383-Eigel and Wieland | 116. SB 46-Libla, with SCS |
| 98. SB 336-Wieland | 117. SB 145-Wallingford, with SCS |
| 99. SB 223-Schatz, with SCS | 118. SB 381-Riddle |
| 100. SB 263-Riddle | 119. SB 418-Hegeman, with SCS |
| 101. SB 243-Hegeman | |

HOUSE BILLS ON THIRD READING

- | | |
|-----------------------|---|
| HB 95-McGaugh (Emery) | HCS for HBs 302 & 228, with SCS (Onder) |
| HB 153-Corlew (Libla) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 5-Richard | SB 185-Onder, et al, with SCS |
| SB 6-Richard, with SCS | SB 189-Kehoe, with SCS |
| SB 20-Brown | SB 228-Koenig, with SS & SA 1 (pending) |
| SB 21-Brown | SBs 314 & 340-Schatz, et al, with SCS |
| SB 28-Sater, with SCS (pending) | |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | |

HOUSE BILLS ON THIRD READING

HCS for HB 130, with SCS, SS for SCS &
SA 6 (pending) (Onder)

HB 251-Taylor, with SCS (Onder)

CONSENT CALENDAR

Senate Bills

Reported 3/2

SB 296-Hummel
SB 394-Romine
SB 334-Sater, with SCS
SB 363-Chappelle-Nadal
SB 279-Kraus, with SCS
SB 332-Hegeman
SB 93-Curls, with SCS

SB 112-Schatz, with SCS
SB 366-Koenig
SB 302-Wieland
SB 222-Riddle
SB 282-Hegeman
SB 329-Kehoe

Reported 3/9

SB 405-Hegeman, with SCS
SB 384-Rowden, with SCS
SB 404-Hegeman, with SCS
SB 392-Holsman
SB 30-Sater
SB 411-Schatz

SB 161-Sater, with SCS
SB 134-Chappelle-Nadal
SBs 300 & 306-Sater, with SCS
SB 486-Kehoe
SB 488-Kehoe
SB 421-Rizzo, with SCS

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

Journal of the Senate

FIRST REGULAR SESSION

THIRTY-EIGHTH DAY—MONDAY, MARCH 13, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“The earth is the Lord’s and all that is in it, the world, and those who live in it.” (Psalm 24:1)

As we begin a new week we are mindful, heavenly Father, to remember that everything that exist comes from You. The rains that water the earth, the warmth of the sun and coolness of night and everything that breathes You have created and it is sacred to You. We know that everything, including us, is precious in Your sight and You ask of us to lead others in peace and kindness, making good decisions on how to live in harmony with all You have created. So walk with us this day helping us to make the choices that You desire for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, March 9, 2017 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 437, regarding Kennedy Childers, Unionville, which was adopted.

Senator Libla offered Senate Resolution No. 438, regarding Michael and LaDonna Thacker, Kennett, which was adopted.

Senator Emery offered Senate Resolution No. 439, regarding Lucille Stewart, which was adopted.

Senator Emery offered Senate Resolution No. 440, regarding Alyssa Engelman, Raymore, which was adopted.

Senator Silvey offered Senate Resolution No. 441, regarding Eagle Scout Trevor Joseph Mahin, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 442, regarding Katherine Carney, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 443, regarding Anna Merkel, Gladstone, which was adopted.

Senator Silvey offered Senate Resolution No. 444, regarding Katherine Rainey, Kansas City, which was adopted.

Senator Silvey offered Senate Resolution No. 445, regarding Lauren Rankin, Kansas City, which was adopted.

Senator Rowden offered Senate Resolution No. 446, regarding the late Allan Purdy, which was adopted.

Senator Rowden offered Senate Resolution No. 447, regarding Eagle Scout Logan Allen Dickerson, Centralia, which was adopted.

Senator Rowden offered Senate Resolution No. 448, regarding Eagle Scout Evan Lee Plank, Centralia, which was adopted.

Senator Rowden offered Senate Resolution No. 449, regarding Eagle Scout Duke Drennan Newsted, Centralia, which was adopted.

Senator Holsman offered Senate Resolution No. 450, regarding Kate Nash, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 451, regarding Audrey Calovich, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 452, regarding Natalie Dameron, Kansas City, which was adopted.

Senator Hegeman offered Senate Resolution No. 453, regarding the Sixty-fifth Anniversary of Charles and Lois Hartley, Mercer, which was adopted.

Senator Kehoe offered Senate Resolution No. 454, regarding Daniel G. Hurst, Jefferson City, which was adopted.

Senator Nasheed offered Senate Resolution No. 455, regarding M.W.G.M. Henry R. Willis, Jr., P.H.A.F.A.M., which was adopted.

President Pro Tem Richard assumed the Chair.

Senator Schaaf requested unanimous consent of the Senate to correct the committee report submitted by the Committee on Health and Pensions, Thursday, March 9, 2017, to reflect the adoption of the Senate Committee Substitute, which request was granted.

REPORTS OF STANDING COMMITTEES

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HCS for HB 662**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Parson assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 122—Professional Registration.

HCS for HB 353—Local Government and Elections.

HCS for HBs 1194 & 1193—Local Government and Elections.

HCS for HB 460—Government Reform.

HCS for HBs 339 & 714—General Laws.

HB 461—Government Reform.

HB 462—Government Reform.

HCS for HBs 480, 272, 413 & 609—Professional Registration.

HB 193—Local Government and Elections.

HCS for HB 381—Health and Pensions.

HOUSE BILLS ON THIRD READING

HB 251, introduced by Representative Taylor, with **SCS**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations.

Was called from the Informal Calendar and taken up by Senator Onder.

SCS for HB 251, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 251

An Act to repeal sections 105.500 and 105.520, RSMo, and to enact in lieu thereof eighteen new sections relating to public labor organizations, with penalty provisions.

Was taken up.

Senator Onder moved that **SCS for HB 251** be adopted.

Senator Onder offered **SS** for **SCS** for **HB 251**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 251

An Act to repeal sections 105.500 and 105.520, RSMo, and to enact in lieu thereof eighteen new sections relating to public labor organizations, with penalty provisions.

Senator Onder moved that **SS** for **SCS** for **HB 251** be adopted.

Senator Kehoe assumed the Chair.

Senator Hoskins assumed the Chair.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 251, Page 1, In the Title, Line 4, by striking all of said line and inserting in lieu thereof the following: “donors in elections, with penalty provisions.”; and

Further amend said bill, page 24, section 105.595, line 11 by inserting after all of said line the following:

“[130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) “Campaign committee”, a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(4) “Candidate”, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual’s political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person’s candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(5) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(6) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(7) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(8) "Closing date", the date through which a statement or report is required to be complete;

(9) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures

it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (11) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (11) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, political action committee, exploratory committee, and political party committee;

(10) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(11) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by

a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(12) "County", any one of the several counties of this state or the city of St. Louis;

(13) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(14) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(15) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously

incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(16) "Exploratory committees", a committee which shall be formed by an individual to receive

contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(17) “Fund-raising event”, an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(18) “In-kind contribution” or “in-kind expenditure”, a contribution or expenditure in a form other than money;

(19) “Labor organization”, any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(20) “Loan”, a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(21) “Person”, an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person’s official capacity;

(22) “Political action committee”, a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee, political party committee, campaign committee, exploratory committee, or debt service committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. Such a committee includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(23) “Political merchandise”, goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) “Political party”, a political party which has the right under law to have the names of its candidates

listed on the ballot in a general election;

(25) “Political party committee”, a committee of a political party which may be organized as a not-for-profit corporation under Missouri law and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party. Political party committees shall only take the following forms:

(a) One congressional district committee per political party for each congressional district in the state; and

(b) One state party committee per political party;

(26) “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (4) of this section.]

130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:

(1) “Appropriate officer” or “appropriate officers”, the person or persons designated in section 130.026 to receive certain required statements and reports;

(2) “Ballot measure” or “measure”, any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;

(3) “Candidate”, an individual who seeks nomination or election to public office. The term “candidate” includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual’s political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:

(a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person’s candidacy for office; or

(b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person’s candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept

nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or

(c) Announces or files a declaration of candidacy for office;

(4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;

(5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;

(6) "Closing date", the date through which a statement or report is required to be complete;

(7) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the primary or incidental purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:

(a) "Committee", does not include:

a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;

b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;

c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or

any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or

the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) “County”, any one of the several counties of this state or the city of St. Louis;

(14) **“Covered communication”:**

(a) **Paid advertisements broadcast over radio, television, cable, or satellite in this state;**

(b) **Paid placement of content on the internet or other electronic communication network targeted to voters in this state;**

(c) **Paid advertisements published in a periodical or on a billboard in this state;**

(d) **Paid telephone communications to five hundred or more households in this state;**

(e) **Mailings sent or distributed through the United States Postal Service or similar private mail carriers to two thousand or more recipients in this state; and**

(f) **Printed materials exceeding two thousand copies distributed in this state;**

(15) **“Covered organization”, any organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;**

(16) **“Disclosure report”, an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;**

~~[(15)]~~ (17) **“Election”, any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party’s candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;**

(18) **“Electioneering activities”:**

(a) **Any covered communication that influences or attempts to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage, or defeat of any ballot measure; and**

(b) **Any covered communication made within forty-five days of a primary election or ninety days of a general election that:**

a. **Identifies or depicts a particular candidate by name but does not specifically call for his or her election or defeat; or**

b. **Identifies or depicts a particular ballot measure by name or by its proposition or amendment number but does not specifically call for its qualification, passage, or defeat;**

~~[(16)]~~ (19) **“Expenditure”, a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate’s own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or**

passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;

(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

[(17)] (20) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

[(18)] (21) “Fund-raising event”, an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

[(19)] (22) “In-kind contribution” or “in-kind expenditure”, a contribution or expenditure in a form other than money;

[(20)] (23) “Labor organization”, any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

[(21)] (24) “Loan”, a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

[(22)] (25) “Person”, an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person’s official capacity;

[(23)] (26) “Political merchandise”, goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

[(24)] (27) “Political party”, a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

[(25)] (28) “Political party committee”, a state, district, county, city, or area committee of a political party, as defined in section 115.603, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

[(26)] (29) “Public office” or “office”, any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

[(27)] (30) “Regular session”, includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

[(28)] (31) “Write-in candidate”, an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (3) of this section.

130.062. 1. By January thirty-first of each year, any covered organization that made expenditures for the purpose of electioneering activities by means of a covered communication, or that made a

contribution, including in-kind contributions, to a committee in the previous calendar year shall disclose in an electronic disclosure report to the ethics commission:

- (1) All expenditures made for purposes of electioneering activities by means of a covered communication in the previous calendar year;
- (2) All contributions, including in-kind contributions, to a committee in the previous calendar year;
- (3) The percentage of their total expenditures from the previous calendar year for purposes of electioneering activities by means of a covered communication;
- (4) The percentage of their total expenditures made from the previous calendar year for contributions including in-kind contributions to a committee during the previous calendar year;
- (5) The name and address of each person or entity making any single donation over one thousand dollars, and each person or entity who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year; and
- (6) The date and amount of each donation over one thousand dollars, or of any donation from a person who has made, in the aggregate, donations over one thousand dollars to such organization during the previous calendar year.

Such information shall be a matter of public record which the ethics commission shall subsequently make available to the public.

2. Any organization required to file disclosure reports under subsection 1 of this section shall make such disclosures electronically.

3. (1) Any covered organization that:

(a) Makes expenditures in excess of five thousand dollars for the purpose of electioneering activities by means of a covered communication shall make an electronic disclosure report to the ethics commission within forty-eight hours of exceeding such limit. The report shall state specifically the expenditure amount, the person or entity receiving the expenditures, and with what ballot measure or candidate such expenditure concerns. If a covered communication calls specifically for the passage, election, or defeat of a candidate or measure, the report shall indicate such information; or

(b) Makes contributions, including in-kind contributions, of over five thousand dollars to a committee shall make an electronic disclosure report to the ethics commission within forty-eight hours of making such contribution. The report shall specifically state the contribution amount and the committee to which the contribution was made.

(2) Every electronic disclosure report required under this subsection shall include the date and amount of each donation, as well as the name, address, and employer, occupation if self-employed, or notation of retirement of each donor who has donated over five thousand dollars to the covered organization in the previous twelve-month period.

(3) The ethics commission shall assess fees on the board of directors of a covered organization in the same manner as provided in section 105.963 for failure to file reports required by this section.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Onder raised the point of order that **SA 1** is out of order, as it goes beyond the scope of the original bill.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Rowden assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Rowden assumed the Chair.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 251, Page 4, Section 105.504, Line 10 of said page, by inserting immediately after all of said line the following:

“105.510. **1.** Employees, except police, deputy sheriffs, Missouri state highway patrolmen, Missouri National Guard, all teachers of all Missouri schools, colleges and universities, of any public body shall have the right to form and join labor organizations and to present proposals to any public body relative to salaries and other conditions of employment through the representative of their own choosing. No such employee shall be discharged or discriminated against because of his exercise of such right, nor shall any person or group of persons, directly or indirectly, by intimidation or coercion, compel or attempt to compel any such employee to join or refrain from joining a labor organization, except that the above excepted employees have the right to form benevolent, social, or fraternal associations. Membership in such associations may not be restricted on the basis of race, creed, color, religion or ancestry.

2. Any employee may bring a cause of action in any court of competent jurisdiction for a violation of the provisions of this section. Such employees so aggrieved may be granted monetary damages equal to three times his or her lost wages, with a minimum of ten thousand dollars to be awarded in damages.”; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Onder offered **SA 1** to **SA 2**, which was read:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Bill No. 251, Page 1, Line 21, by striking the word “monetary” and inserting in lieu thereof the following: “**back pay and such equitable relief as may be appropriate, including but not limited to reinstatement.**”; and

Further amend said amendment, page 2 by striking lines 1-2 and inserting in lieu thereof the following: “;and”.

Senator Onder moved that the above amendment be adopted.

At the request of Senator Onder, **SA 1** to **SA 2** was withdrawn.

Senator Onder offered **SA 2** to **SA 2**, which was read:

SENATE AMENDMENT NO. 2 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Bill No. 251, Page 2, Lines 1-2, by striking all of said lines and inserting in lieu thereof the following: “**damages equal to three times his or her lost wages and such equitable relief as may be appropriate, including but not limited to reinstatement.**”; and”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Onder, **HB 251**, with **SCS**, **SS** for **SCS** and **SA 2** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 248**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the establishment of a statewide STEM career awareness program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 199**, entitled:

An Act to repeal section 54.040, RSMo, and to enact in lieu thereof one new section relating to county treasurer qualifications.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 441**, entitled:

An Act to amend chapters 171 and 173, RSMo, by adding thereto two new sections relating to student journalists.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 587**, entitled:

An Act to repeal section 162.401, RSMo, and to enact in lieu thereof one new section relating to bonding requirements for treasurers of seven-director school districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 558**, entitled:

An Act to repeal section 306.126, RSMo, and to enact in lieu thereof one new section relating to boat passengers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 586**, entitled:

An Act to amend chapter 590, RSMo, by adding thereto one new section relating to privileged communications between peer support specialists and law enforcement and emergency services personnel.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 52**, entitled:

An Act to repeal sections 137.565 and 233.180, RSMo, and to enact in lieu thereof two new sections relating to special road district commissioner elections.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 247**, entitled:

An Act to repeal sections 81.190 and 88.770, RSMo, and to enact in lieu thereof two new sections relating to municipally owned utilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HB 599**, entitled:

An Act to repeal section 160.545, RSMo, and to enact in lieu thereof one new section relating to higher education financial aid eligibility, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 557**, entitled:

An Act to repeal sections 327.313 and 327.321, RSMo, and to enact in lieu thereof two new sections relating to land surveyors.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 262**, entitled:

An Act to repeal sections 209.150 and 209.200, RSMo, and to enact in lieu thereof two new sections relating to service dogs.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 28**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to diabetes awareness month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 49**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to parliamentary law month.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 390**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to Von Willebrand awareness.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 61**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial bridge.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 128**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 253**, entitled:

An Act to repeal sections 162.1115 and 178.550, RSMo, and to enact in lieu thereof three new sections relating to career and technical education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 647**, entitled:

An Act to repeal section 233.295, RSMo, and to enact in lieu thereof one new section relating to county road district consolidation.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 703**, entitled:

An Act to repeal section 139.100, RSMo, and to enact in lieu thereof one new section relating to the payment of taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

INTRODUCTION OF GUESTS

Senator Kraus introduced to the Senate, his wife, Carmen, Lee's Summit.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

THIRTY-NINTH DAY—TUESDAY, MARCH 14, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 248-Fitzwater
HCS for HB 199
HCS for HB 441
HB 587-Redmon
HB 558-Ross
HB 586-Rhoads
HB 52-Andrews
HCS for HB 247
HB 599-Hansen
HB 557-Ross

HB 262-Sommer
HB 28-Pike
HB 49-Roeber
HB 390-Vescovo
HB 61-Alferman
HB 128-Davis
HCS for HB 253
HCS for HB 647
HCS for HB 703

SENATE BILLS FOR PERFECTION

1. SB 10-Wasson and Richard, with SCS
2. SB 199-Wasson
3. SB 349-Wasson
4. SB 293-Romine
5. SB 190-Emery and Nasheed, with SCS

6. SB 184-Emery
7. SB 22-Chappelle-Nadal
8. SB 32-Emery, with SCS
9. SB 258-Munzlinger
10. SB 259-Munzlinger

11. SB 260-Munzlinger
12. SB 261-Munzlinger
13. SB 262-Munzlinger
14. SB 213-Rowden, with SCS
15. SB 123-Munzlinger
16. SB 283-Hegeman
17. SB 284-Hegeman, with SCS
18. SB 124-Wasson
19. SB 35-Cunningham
20. SB 114-Schatz
21. SB 247-Kraus, with SCS
22. SB 325-Kraus
23. SBs 285 & 17-Koenig, with SCS
24. SB 160-Sater, with SCS
25. SB 41-Wallingford and Emery
26. SB 67-Onder, et al
27. SB 195-Koenig
28. SB 18-Kraus
29. SB 290-Schatz, with SCS
30. SB 330-Munzlinger
31. SBs 44 & 63-Romine, with SCS
32. SB 328-Romine, with SCS
33. SB 188-Munzlinger, with SCS
34. SB 102-Cunningham, with SCS
35. SB 303-Wieland, with SCS
36. SB 49-Walsh, with SCS
37. SB 147-Romine
38. SJR 9-Romine, with SCS
39. SB 122-Munzlinger, with SCS
40. SB 227-Koenig, with SCS
41. SB 210-Onder, with SCS
42. SB 220-Riddle, with SCS
43. SB 97-Sater, with SCS
44. SB 176-Dixon
45. SB 13-Dixon
46. SB 177-Dixon, with SCS
47. SB 68-Onder and Nasheed
48. SB 126-Wasson
49. SB 221-Riddle
50. SB 83-Dixon
51. SB 99-Emery
52. SB 171-Dixon and Sifton, with SCS
53. SB 158-Dixon
54. SB 157-Dixon, with SCS
55. SB 81-Dixon
56. SB 178-Dixon
57. SB 204-Sifton
58. SB 84-Kraus, with SCS
59. SB 163-Romine
60. SB 242-Emery, with SCS
61. SB 371-Schaaf
62. SB 333-Schaaf, with SCS
63. SB 295-Schaaf, with SCS
64. SB 409-Koenig
65. SB 141-Emery
66. SB 203-Sifton, with SCS
67. SB 410-Schatz
68. SB 368-Rowden
69. SB 331-Hegeman
70. SB 348-Wasson
71. SB 406-Wasson and Sater
72. SB 142-Emery
73. SB 129-Dixon and Sifton, with SCS
74. SB 96-Sater and Emery
75. SB 103-Wallingford
76. SB 196-Koenig
77. SB 230-Riddle
78. SB 88-Brown, with SCS
79. SB 200-Libla
80. SB 201-Onder, with SCS
81. SB 183-Hoskins, with SCS
82. SB 130-Kraus, with SCS
83. SB 80-Wasson, with SCS
84. SB 250-Kehoe
85. SJR 12-Eigel
86. SB 144-Wallingford
87. SB 280-Hoskins, with SCS
88. SB 115-Schupp, with SCS
89. SB 362-Hummel
90. SB 298-Curls

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| 91. SB 234-Libla, with SCS | 106. SB 61-Hegeman, with SCS |
| 92. SB 442-Hegeman | 107. SJR 11-Hegeman, with SCS |
| 93. SB 76-Munzlinger | 108. SB 358-Wieland |
| 94. SB 389-Sater, with SCS | 109. SB 316-Rowden, with SCS |
| 95. SB 286-Rizzo | 110. SB 376-Hoskins |
| 96. SB 267-Schatz, with SCS | 111. SB 252-Dixon, with SCS |
| 97. SB 383-Eigel and Wieland | 112. SB 117-Schupp, with SCS |
| 98. SB 336-Wieland | 113. SB 138-Sater |
| 99. SB 223-Schatz, with SCS | 114. SB 271-Wasson and Richard, with SCS |
| 100. SB 263-Riddle | 115. SB 426-Wasson, with SCS |
| 101. SB 243-Hegeman | 116. SB 46-Libla, with SCS |
| 102. SB 156-Munzlinger, with SCS | 117. SB 145-Wallingford, with SCS |
| 103. SB 85-Kraus, with SCS | 118. SB 381-Riddle |
| 104. SB 180-Nasheed, with SCS | 119. SB 418-Hegeman, with SCS |
| 105. SB 233-Wallingford | |

HOUSE BILLS ON THIRD READING

- | | |
|-----------------------|---|
| HB 95-McGaugh (Emery) | HCS for HBs 302 & 228, with SCS (Onder) |
| HB 153-Corlew (Libla) | HCS for HB 662, with SCS (Munzlinger) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 5-Richard | SB 185-Onder, et al, with SCS |
| SB 6-Richard, with SCS | SB 189-Kehoe, with SCS |
| SB 20-Brown | SB 228-Koenig, with SS & SA 1 (pending) |
| SB 21-Brown | SBs 314 & 340-Schatz, et al, with SCS |
| SB 28-Sater, with SCS (pending) | |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| HCS for HB 130, with SCS, SS for SCS &
SA 6 (pending) (Onder) | HB 251-Taylor, with SCS, SS for SCS & SA 2
(pending) (Onder) |
|--|---|

CONSENT CALENDAR

Senate Bills

Reported 3/2

SB 296-Hummel
SB 394-Romine
SB 334-Sater, with SCS
SB 363-Chappelle-Nadal
SB 279-Kraus, with SCS
SB 332-Hegeman
SB 93-Curls, with SCS

SB 112-Schatz, with SCS
SB 366-Koenig
SB 302-Wieland
SB 222-Riddle
SB 282-Hegeman
SB 329-Kehoe

Reported 3/9

SB 405-Hegeman, with SCS
SB 384-Rowden, with SCS
SB 404-Hegeman, with SCS
SB 392-Holsman
SB 30-Sater
SB 411-Schatz

SB 161-Sater, with SCS
SB 134-Chappelle-Nadal
SBs 300 & 306-Sater, with SCS
SB 486-Kehoe
SB 488-Kehoe
SB 421-Rizzo, with SCS

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

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Journal of the Senate

FIRST REGULAR SESSION

THIRTY-NINTH DAY—TUESDAY, MARCH 14, 2017

The Senate met pursuant to adjournment.

Senator Kraus in the Chair.

Reverend Carl Gauck offered the following prayer:

“Righteousness will go before him, and will make a path for his steps.” (Psalm 85:13)

My Lord and God if we are to succeed in finding meaning to our lives we know that we are to be a people of integrity and love. Only then will we succeed and find the significance You have placed there for us. Help us to be consistent knowing that there are days in which we are up and others which we are down but all days hold the promise of Your presence and the affirmation of living the life You have given us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

RESOLUTIONS

Senator Hummel offered Senate Resolution No. 456, regarding Henry “Hank” Schlicter, Webster Groves, which was adopted.

Senator Hummel offered Senate Resolution No. 457, regarding Eagle Scout Luke Trask, St. Louis, which was adopted.

Senator Brown offered Senate Resolution No. 458, regarding the Randy Terrell family, Lake of the Ozarks, which was adopted.

Senator Brown offered Senate Resolution No. 459, regarding Julia Gillman, which was adopted.

Senator Brown offered Senate Resolution No. 460, regarding Allyson Mack, which was adopted.

Senator Brown offered Senate Resolution No. 461, regarding Lauren Gray, which was adopted.

Senator Brown offered Senate Resolution No. 462, regarding Ashanti Owusu-Brafi, which was adopted.

Senator Wallingford offered Senate Resolution No. 463, regarding Robert Waldo Hays, Sikeston, which was adopted.

Senator Richard offered Senate Resolution No. 464, regarding the Rotary Club, Carthage, which was adopted.

Senator Rizzo offered Senate Resolution No. 465, regarding Allison Shewmaker, Independence, which was adopted.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 662**, with **SCS**, to the Committee on Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 10**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 10**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 10

An Act to repeal sections 620.800, 620.803, 620.806, 620.809, and 620.2005, RSMo, and to enact in lieu thereof five new sections relating to financial incentives for job creation.

Was taken up.

Senator Wasson moved that **SCS** for **SB 10** be adopted.

Senator Wasson offered **SS** for **SCS** for **SB 10**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 10

An Act to repeal sections 620.800, 620.803, 620.806, 620.809, and 620.2005, RSMo, and to enact in lieu thereof five new sections relating to financial incentives for job creation.

Senator Wasson moved that **SS** for **SCS** for **SB 10** be adopted.

Senator Rowden assumed the Chair.

At the request of Senator Wasson, **SB 10**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 28**.

HOUSE CONCURRENT RESOLUTION NO. 28

WHEREAS, Missouri residents with disabilities are deserving of having the same choice of where, how, and with whom they work and spend their time as other Missouri residents; and

WHEREAS, Missouri sheltered workshops, in partnership with business and industry, are an integral part of their local communities and their economies; and

WHEREAS, programs and employment offered by Missouri's sheltered workshops, through projects contracted at their facilities, supported enclaves, contracts at Missouri's rest stops, employment through AbilityOne contracts, and independent work assignments provide Missouri residents with disabilities the opportunity to meet new people, gain new skills, and earn the respect, dignity, and other ancillary human benefits that come with earning a paycheck and making a contribution to society; and

WHEREAS, approximately 6,000 Missouri residents with disabilities avail themselves of the opportunity to participate in these programs and related employment; and

WHEREAS, the parents, guardians, and caregivers of many of these participants support and attest to the benefits of these programs and the employment provided under them; and

WHEREAS, individuals with disabilities should be free to choose the settings in which they receive services or employment, including programs and employment offered by Missouri's sheltered workshops through projects contracted at their facilities, supported enclaves, contracts at Missouri's rest stops, employment through AbilityOne contracts, and independent work assignments:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby reaffirm Missouri's support of the services of the sheltered workshops of our state.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 19**.

HOUSE COMMITTEE SUBSTITUTE HOUSE CONCURRENT RESOLUTION NO. 19 Relating to the financing of educational facilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, section 21.527, RSMo, requires the approval of the General Assembly that certain projects to be funded by revenue bonds shall be secured by a pledge of future appropriations to be made by the General Assembly; and

WHEREAS, the General Assembly is desirous of approving a project for a new building to house the University of Missouri - Kansas City Conservatory of Music and Dance on the University of Missouri - Kansas City campus to be funded in part by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby approve the following:

1. A conservatory building project and related facilities for the University of Missouri - Kansas City campus;
2. A total estimated project cost, including furnishings and equipment, of ninety-six million dollars;
3. A maximum project cost of forty-eight million dollars, provided as the state's share, to be funded, on or before July 1, 2020, by revenue bonds secured by a pledge of future appropriations to be made by the General Assembly;
4. The Health and Educational Facilities Authority of the State of Missouri (MOHEFA) shall assist the state in the issuance of revenue

bonds in an amount sufficient to pay the state's share of the project cost, plus debt service reserve, capitalized interests, and costs of issuance, to be payable over a term not to exceed ten years; and

5. The remainder of the project cost to be funded by contributions, donations, grants, and other funds provided by the Curators of the University of Missouri; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly state the intent of the General Assembly, during each fiscal year of the state during the term of such revenue bonds, to appropriate funds sufficient to pay the debt service on such revenue bonds; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly authorize and direct the Office of Administration and such other state departments, offices, and agencies as the Office of Administration may deem necessary or appropriate to:

1. Assist the staff and advisors of the Curators of the University of Missouri in implementing the project and in issuing such revenue bonds for the state's share of the project costs; and

2. Execute and deliver documents and certificates related to such revenue bonds consistent with the terms of this resolution; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 466, regarding Eagle Scout Ethan Anthony Nugen, Florissant, which was adopted.

Senator Schupp offered Senate Resolution No. 467, regarding Kirk M. Schreiber, which was adopted.

Senator Schupp offered Senate Resolution No. 468, regarding the One Hundredth Birthday of Vivian Zwick, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 469, regarding Jesse Richard "Jack" Bodine, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 470, regarding Kris Kellams, St. Charles, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by Senator Hegeman.

SENATE BILLS FOR PERFECTION

Senator Wasson moved that **SB 10**, with **SCS** and **SS** for **SCS**, be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Wasson offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 10, Page 11, Section 620.803, Line 6 of said page, by inserting immediately after "entities" the following: "**, not to exceed fifty thousand dollars annually,**"; and

Further amend said bill, page 18, section 620.809, line 12 of said page, by inserting immediately after "(2)" the following: "**Subject to appropriation,**"; and

Further amend said bill, page 25, section 620.2005, line 17 of said page, by striking the opening bracket “[”]; and further amend line 21 of said page, by striking the following: “] owners”; and

Further amend said bill and section, page 27, lines 18-26 of said page, by striking all of said lines and inserting in lieu thereof the following: “**of a change of ownership in the company**”; and

Further amend said bill and section, page 28, lines 7-19 of said page, by striking all of the underlined language; and

Further renumber the remaining subdivisions accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Wasson moved that **SS for SCS for SB 10**, as amended, be adopted, which motion prevailed.

On motion of Senator Wasson, **SS for SCS for SB 10**, as amended, was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

Senator Onder moved that **HB 251**, with **SCS**, **SS for SCS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

Senator Kehoe assumed the Chair.

Senator Wallingford assumed the Chair.

Senator Hummel offered **SA 3** to **SA 2**:

SENATE AMENDMENT NO. 3 TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Committee Substitute for House Bill No. 251, Page 1, Line 4, by inserting an opening bracket “[” immediately after the word “Employees”, and further amend line 6 by inserting a closing bracket “]” immediately after the word “universities,”; and further amend line 15 by inserting an opening bracket “[” immediately after the word “organization”; and further amend line 18, by inserting a closing bracket “]” immediately after the word “ancestry”; and

Further amend said amendment, page 2, line 2 by inserting after all of said line the following: “Further amend said bill and page, Section 105.515, lines 11-15 by striking all of said section from the bill; and”.

Senator Hummel moved that the above amendment be adopted.

Senator Rowden assumed the Chair.

President Pro Tem Richard assumed the Chair.

At the request of Senator Onder, **HB 251**, with **SCS**, **SS for SCS**, **SA 2** and **SA 3 to SA 2** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS for SCS for SB 10**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Schaaf offered Senate Resolution No. 471, regarding the Fiftieth Wedding Anniversary of Duane and Donna Turk, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 472, regarding the Fiftieth Wedding Anniversary of Roy and Peggy Fortner, St. Joseph, which was adopted.

COMMUNICATIONS

Senator Emery submitted the following:

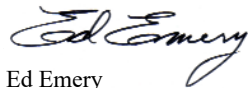
March 14, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 45, I am requesting that SB 392 be removed from the Consent Calendar.

Sincerely,



Ed Emery

Also,

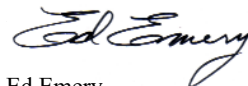
March 14, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 45, I am requesting that SB 404 be removed from the Consent Calendar.

Sincerely,



Ed Emery

Senator Schupp submitted the following:

March 14, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 45, I respectfully request that Senate Bill 384 be removed from the consent calendar.

Thank you for considering this request.

Truly,



Jill Schupp
State Senator
District 24

INTRODUCTION OF GUESTS

Senator Munzlinger introduced to the Senate, Lori Smith, Kirksville; and representatives of the Missouri County Treasurers Association.

Senator Libla introduced to the Senate, Herman Styles, Poplar Bluff.

Senator Brown introduced to the Senate, his daughter, Danette Sherrill; and his grandson, Tristen Brown.

Senator Kehoe introduced to the Senate, Principal Lisa Grellner; Shelly Klebba, Kelly McReynolds, Travis Plume; and students Troy Ludwig, Emily Wilson, Caden Clough, Ellie Plume, Zoey Jones, Jack Klebba, Cole Scheulen, Curtis Deeken, Hope Wolfe and Karoline Klebba, St. George Catholic School, Linn.

Senator Emery introduced to the Senate, Angie Haas and Patricia Woods, Carthage.

Senator Chappelle-Nadal introduced to the Senate, representatives of Alpha Kappa Alpha Sorority.

Senator Sater introduced to the Senate, Robert Deffenbaugh, Ben Reuter, Cathy Nunley and Tammi Wilkes, Cassville.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTIETH DAY—WEDNESDAY, MARCH 15, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 248-Fitzwater
HCS for HB 199
HCS for HB 441
HB 587-Redmon
HB 558-Ross
HB 586-Rhoads
HB 52-Andrews
HCS for HB 247

HB 599-Hansen
HB 557-Ross
HB 262-Sommer
HB 28-Pike
HB 49-Roeber
HB 390-Vescovo
HB 61-Alferman
HB 128-Davis

HCS for HB 253
HCS for HB 647

HCS for HB 703

THIRD READING OF SENATE BILLS

SS for SCS for SB 10-Wasson

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|---------------------------------------|
| 1. SB 199-Wasson | 36. SB 147-Romine |
| 2. SB 349-Wasson | 37. SJR 9-Romine, with SCS |
| 3. SB 293-Romine | 38. SB 122-Munzlinger, with SCS |
| 4. SB 190-Emery and Nasheed, with SCS | 39. SB 227-Koenig, with SCS |
| 5. SB 184-Emery | 40. SB 210-Onder, with SCS |
| 6. SB 22-Chappelle-Nadal | 41. SB 220-Riddle, with SCS |
| 7. SB 32-Emery, with SCS | 42. SB 97-Sater, with SCS |
| 8. SB 258-Munzlinger | 43. SB 176-Dixon |
| 9. SB 259-Munzlinger | 44. SB 13-Dixon |
| 10. SB 260-Munzlinger | 45. SB 177-Dixon, with SCS |
| 11. SB 261-Munzlinger | 46. SB 68-Onder and Nasheed |
| 12. SB 262-Munzlinger | 47. SB 126-Wasson |
| 13. SB 213-Rowden, with SCS | 48. SB 221-Riddle |
| 14. SB 123-Munzlinger | 49. SB 83-Dixon |
| 15. SB 283-Hegeman | 50. SB 99-Emery |
| 16. SB 284-Hegeman, with SCS | 51. SB 171-Dixon and Sifton, with SCS |
| 17. SB 124-Wasson | 52. SB 158-Dixon |
| 18. SB 35-Cunningham | 53. SB 157-Dixon, with SCS |
| 19. SB 114-Schatz | 54. SB 81-Dixon |
| 20. SB 247-Kraus, with SCS | 55. SB 178-Dixon |
| 21. SB 325-Kraus | 56. SB 204-Sifton |
| 22. SBs 285 & 17-Koenig, with SCS | 57. SB 84-Kraus, with SCS |
| 23. SB 160-Sater, with SCS | 58. SB 163-Romine |
| 24. SB 41-Wallingford and Emery | 59. SB 242-Emery, with SCS |
| 25. SB 67-Onder, et al | 60. SB 371-Schaaf |
| 26. SB 195-Koenig | 61. SB 333-Schaaf, with SCS |
| 27. SB 18-Kraus | 62. SB 295-Schaaf, with SCS |
| 28. SB 290-Schatz, with SCS | 63. SB 409-Koenig |
| 29. SB 330-Munzlinger | 64. SB 141-Emery |
| 30. SBs 44 & 63-Romine, with SCS | 65. SB 203-Sifton, with SCS |
| 31. SB 328-Romine, with SCS | 66. SB 410-Schatz |
| 32. SB 188-Munzlinger, with SCS | 67. SB 368-Rowden |
| 33. SB 102-Cunningham, with SCS | 68. SB 331-Hegeman |
| 34. SB 303-Wieland, with SCS | 69. SB 348-Wasson |
| 35. SB 49-Walsh, with SCS | 70. SB 406-Wasson and Sater |

- | | |
|---------------------------------------|--|
| 71. SB 142-Emery | 95. SB 267-Schatz, with SCS |
| 72. SB 129-Dixon and Sifton, with SCS | 96. SB 383-Eigel and Wieland |
| 73. SB 96-Sater and Emery | 97. SB 336-Wieland |
| 74. SB 103-Wallingford | 98. SB 223-Schatz, with SCS |
| 75. SB 196-Koenig | 99. SB 263-Riddle |
| 76. SB 230-Riddle | 100. SB 243-Hegeman |
| 77. SB 88-Brown, with SCS | 101. SB 156-Munzlinger, with SCS |
| 78. SB 200-Libla | 102. SB 85-Kraus, with SCS |
| 79. SB 201-Onder, with SCS | 103. SB 180-Nasheed, with SCS |
| 80. SB 183-Hoskins, with SCS | 104. SB 233-Wallingford |
| 81. SB 130-Kraus, with SCS | 105. SB 61-Hegeman, with SCS |
| 82. SB 80-Wasson, with SCS | 106. SJR 11-Hegeman, with SCS |
| 83. SB 250-Kehoe | 107. SB 358-Wieland |
| 84. SJR 12-Eigel | 108. SB 316-Rowden, with SCS |
| 85. SB 144-Wallingford | 109. SB 376-Hoskins |
| 86. SB 280-Hoskins, with SCS | 110. SB 252-Dixon, with SCS |
| 87. SB 115-Schupp, with SCS | 111. SB 117-Schupp, with SCS |
| 88. SB 362-Hummel | 112. SB 138-Sater |
| 89. SB 298-Curls | 113. SB 271-Wasson and Richard, with SCS |
| 90. SB 234-Libla, with SCS | 114. SB 426-Wasson, with SCS |
| 91. SB 442-Hegeman | 115. SB 46-Libla, with SCS |
| 92. SB 76-Munzlinger | 116. SB 145-Wallingford, with SCS |
| 93. SB 389-Sater, with SCS | 117. SB 381-Riddle |
| 94. SB 286-Rizzo | 118. SB 418-Hegeman, with SCS |

HOUSE BILLS ON THIRD READING

- | | |
|---------------------------------|---------------------------------------|
| HB 95-McGaugh (Emery) | HCS for HB 662, with SCS (Munzlinger) |
| HB 153-Corlew (Libla) | (In Fiscal Oversight) |
| HCS for HBs 302 & 228, with SCS | |
| (Onder) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|---|
| SB 5-Richard | SB 185-Onder, et al, with SCS |
| SB 6-Richard, with SCS | SB 189-Kehoe, with SCS |
| SB 20-Brown | SB 228-Koenig, with SS & SA 1 (pending) |
| SB 21-Brown | SBs 314 & 340-Schatz, et al, with SCS |
| SB 28-Sater, with SCS (pending) | |
| SBs 37 & 244-Silvey, with SCS, SS for | |
| SCS & SA 1 (pending) | |

HOUSE BILLS ON THIRD READING

HCS for HB 130, with SCS, SS for SCS &
SA 6 (pending) (Onder)

HB 251-Taylor, with SCS, SS for SCS, SA 2 &
SA 3 to SA 2 (pending) (Onder)

CONSENT CALENDAR

Senate Bills

Reported 3/2

SB 296-Hummel
SB 394-Romine
SB 334-Sater, with SCS
SB 363-Chappelle-Nadal
SB 279-Kraus, with SCS
SB 332-Hegeman
SB 93-Curls, with SCS

SB 112-Schatz, with SCS
SB 366-Koenig
SB 302-Wieland
SB 222-Riddle
SB 282-Hegeman
SB 329-Kehoe

Reported 3/9

SB 405-Hegeman, with SCS
SB 30-Sater
SB 411-Schatz
SB 161-Sater, with SCS
SB 134-Chappelle-Nadal

SBs 300 & 306-Sater, with SCS
SB 486-Kehoe
SB 488-Kehoe
SB 421-Rizzo, with SCS

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

To be Referred

HCS for HCR 19

HCR 28-Rowland

Journal of the Senate

FIRST REGULAR SESSION

FORTIETH DAY—WEDNESDAY, MARCH 15, 2017

The Senate met pursuant to adjournment.

Senator Dixon in the Chair.

Reverend Carl Gauck offered the following prayer:

“He leads the humble in what is right, and teaches the humble his ways.” (Psalm 25:9)

Holy God, move us to look at this world as You do, to see the potential of what love and compassion are capable of creating together, even with those who hate us. You soothe our fearful hearts with Your caring. Wash away hatred and resentment within us that keep us from working with those who see the world differently. Let Your truth stretch out our minds and souls so we are truly open to the potential that lays before us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

RESOLUTIONS

Senator Curls offered Senate Resolution No. 473, regarding the death of Nimrod Thomas Chapel, Sr., Jefferson City, which was adopted.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 528**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 307**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 373**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 472**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 50**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 128**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute No. 2, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 448**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Brown, Chairman of the Committee on Appropriations, submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **SB 526**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Libla, Chairman of the Committee on Small Business and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 392**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **SB 404**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 239**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 355**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 503**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 399**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 501**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Romine, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **SB 478**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following report:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 490**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 87**, entitled:

An Act to repeal section 137.556, RSMo, and to enact in lieu thereof one new section relating to the county special road tax.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 678**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 200**, entitled:

An Act to repeal section 50.622, RSMo, and to enact in lieu thereof one new section relating to county budgets.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 664**, entitled:

An Act to amend chapter 307, RSMo, by adding thereto one new section relating to vehicle lighting equipment.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 281**, entitled:

An Act to repeal section 67.402, RSMo, and to enact in lieu thereof one new section relating to nuisance abatement ordinances.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 258**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to the accountability of public funds.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 256**, entitled:

An Act to repeal section 307.175, RSMo, and to enact in lieu thereof one new section relating to flashing lights used by motor vehicles and equipment, with an emergency clause.

Emergency Clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 569**, entitled:

An Act to amend chapters 9 and 191, RSMo, by adding thereto three new sections relating to the show-me compassionate medical education act, with an emergency clause.

Emergency Clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 811**, entitled:

An Act to repeal section 68.075, RSMo, and to enact in lieu thereof one new section relating to advanced industrial manufacturing zones.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 631**, entitled:

An Act to repeal section 162.064, RSMo, and to enact in lieu thereof one new section relating to school

bus driver medical endorsements.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 568**, entitled:

An Act to repeal section 182.640 and 182.660, RSMo, and to enact in lieu thereof two new sections relating to public library districts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 304**, entitled:

An Act to repeal sections 169.141 and 169.715, RSMo, and to enact in lieu thereof two new sections relating to school employee retirement systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 245**, entitled:

An Act to repeal section 144.025, RSMo, and to enact in lieu thereof one new section relating to the taxation of titled personal property.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 610**, entitled:

An Act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to the membership of emergency services boards.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 701**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of

a highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 183**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to youth violence prevention day.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

HOUSE BILLS ON THIRD READING

At the request of Senator Emery, **HB 95** was placed on the Informal Calendar.

HB 153, introduced by Representative McGaugh, entitled:

An Act to repeal section 490.065, RSMo, and to enact in lieu thereof one new section relating to expert witnesses.

Was taken up by Senator Libla.

Senator Wallingford assumed the Chair.

Senator Riddle assumed the Chair.

Senator Rowden assumed the Chair.

Senator Onder assumed the Chair.

At the request of Senator Libla, **HB 153** was placed on the Informal Calendar.

RESOLUTIONS

Senator Sater offered Senate Resolution No. 474, regarding the Fiftieth Wedding Anniversary of Gary and Shirley Hopkins, Exeter, which was adopted.

Senator Sater offered Senate Resolution No. 475, regarding the One Hundredth Birthday of Freda Mae (Logan) Houser, Stone County, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

REPORTS OF STANDING COMMITTEES

Senator Schatz requested unanimous consent of the Senate to correct the committee report on **SB 399** submitted by the Committee on Transportation, Infrastructure and Public Safety to reflect the adoption of the Senate Committee Substitute, which request was granted.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HCS** for **HB 662**, with **SCS**, begs leave to report that it has considered the same and recommends that the bill do pass.

HOUSE BILLS ON THIRD READING

At request of Senator Onder, **HCS** for **HBs 302** and **228**, with **SCS**, was placed on the Informal Calendar.

HCS for **HB 662**, with **SCS**, entitled:

An Act to amend chapter 281, RSMo, by adding thereto one new section relating to the misuse of herbicides, with penalty provisions and an emergency clause.

Was taken up by Senator Munzlinger.

SCS for **HCS** for **HB 662**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 662

An Act to amend chapter 281, RSMo, by adding thereto one new section relating to the misuse of herbicides, with penalty provisions and an emergency clause.

Was taken up.

Senator Hoskins assumed the Chair.

Senator Kehoe assumed the Chair.

Senator Onder assumed the Chair.

Senator Munzlinger moved that **SCS** for **HCS** for **HB 662** be adopted, which motion prevailed.

On motion of Senator Munzlinger, **SCS** for **HCS** for **HB 662** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators

Koenig Kraus—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators

Koenig Kraus—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Libla moved that **HB 153** be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Kehoe assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Onder assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Bill No. 153, Page 2, Section 490.065, Line 45, by inserting after all of said line the following:

“4. For the purposes of determining the admissibility of the testimony of a witness qualified as an expert or the qualifications of such witness prior to trial, if the physical presence of the witness is required by the court, the court shall allow the examination of such witness using a video-audio telecommunication device at the request of a party.”.

Senator Schaaf moved that the above amendment be adopted, which motion failed on a standing division vote.

On motion of Senator Libla, **HB 153** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Sater	Schatz	Wallingford	Wasson	Wieland—21

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

Absent—Senator Rowden—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 15, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carlos A. Haley, Republican, 4230 S. Illinois Avenue, Joplin, Newton County, Missouri 64804, as a member of the Missouri Southern State University Board of Governors, for a term ending August 30, 2022, and until his successor is duly appointed and qualified; vice, Carlos A. Haley, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Senator Wallingford assumed the Chair.

President Pro Tem Richard referred the above appointment to the Committee on Gubernatorial Appointments.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCS for HCR 19—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Richard referred **HCR 28** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

INTRODUCTION OF GUESTS

Senator Holsman introduced to the Senate, Mike Killeen, Kansas City.

Senator Holsman introduced to the Senate, the Physician of the Day, Dr. Betty M. Drees, Kansas City.

Senator Hummel introduced to the Senate, apprentices of Sheet Metal Workers Local 136.

Senator Cunningham introduced to the Senate, Carol Silvey, her daughter, Christena Silvey Coleman, and her granddaughter, Camille Coleman, West Plains; and Camille was made an honorary page.

Senator Cunningham introduced to the Senate, Tim and Judy Bean, West Plains.

Senator Walsh introduced to the Senate, apprentices of Sheet Metal Workers Local 36.

Senator Wallingford introduced to the Senate, Glenn Berry, Sabrina Dublin, and thirty-one students from Marquand Zion R-VI School.

Senator Kehoe introduced to the Senate, Jeremiah Rosenburg, Marc Miller, Sarah Judd and Judy Grainger, United Cerebral Palsy Heartland Gibbs Center for Independence, Jefferson City.

Senator Cunningham introduced to the Senate, Debbie Kastning and Brenda Woods, Seymour.

Senator Holsman introduced to the Senate, Amy Cox, Brittian Rhodes, Michael Holden, Mary Kate Clinsty and Matt Water, representatives of Developing Potential, Inc., Kansas City.

Senator Rizzo introduced to the Senate, teacher Julie Torpey, parents and fourth grade students from Sycamore Hills Elementary School.

Senator Wallingford introduced to the Senate, Holly, Zane, Peyton and Trey Lintner, Jackson.

On behalf of Senator Hoskins, the President introduced to the Senate, Casey Lund, Doug Spratley, Jeff Franklin, Karen Sligh, Matthew Lue, Misty Miller, Rich Lockhart, Scott Holmberg, Sharri Carter, Steve Fox, Suzanne Taylor and Tony Monetti, representatives of the Greater Warrensburg Area Chamber of Commerce.

Senator Hegeman introduced to the Senate, seven students from Maysville High School.

Senator Walsh introduced to the Senate, Tom Webb, Glencarbon, Illinois.

Senator Romine introduced to the Senate, representatives of Tobacco Free Youth, Farmington.

On behalf of Senator Rowden and himself, Senator Kehoe introduced to the Senate, Jim and Catherine Volmert, Steve and Carolyn Nagel, Larry and Marilyn Earley, and Bruce and Antoinette Burton, Columbia.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-FIRST DAY—THURSDAY, MARCH 16, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 248-Fitzwater	HCS for HB 703
HCS for HB 199	HB 87-Henderson
HCS for HB 441	HB 678-Gannon
HB 587-Redmon	HB 200-Fraker
HB 558-Ross	HB 664-Korman
HB 586-Rhoads	HB 281-Rowland
HB 52-Andrews	HCS for HB 258
HCS for HB 247	HB 256-Rhoads
HB 599-Hansen	HCS for HB 569
HB 557-Ross	HB 811-Ruth
HB 262-Sommer	HCS for HB 631
HB 28-Pike	HB 568-Tate
HB 49-Roeber	HCS for HB 304
HB 390-Vescovo	HB 245-Rowland
HB 61-Alferman	HB 610-Justus
HB 128-Davis	HB 701-Burns
HCS for HB 253	HCS for HB 183
HCS for HB 647	

THIRD READING OF SENATE BILLS

SS for SCS for SB 10-Wasson

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|--------------------------|
| 1. SB 199-Wasson | 7. SB 32-Emery, with SCS |
| 2. SB 349-Wasson | 8. SB 258-Munzlinger |
| 3. SB 293-Romine | 9. SB 259-Munzlinger |
| 4. SB 190-Emery and Nasheed, with SCS | 10. SB 260-Munzlinger |
| 5. SB 184-Emery | 11. SB 261-Munzlinger |
| 6. SB 22-Chappelle-Nadal | 12. SB 262-Munzlinger |

13. SB 213-Rowden, with SCS
14. SB 123-Munzlinger
15. SB 283-Hegeman
16. SB 284-Hegeman, with SCS
17. SB 124-Wasson
18. SB 35-Cunningham
19. SB 114-Schatz
20. SB 247-Kraus, with SCS
21. SB 325-Kraus
22. SBs 285 & 17-Koenig, with SCS
23. SB 160-Sater, with SCS
24. SB 41-Wallingford and Emery
25. SB 67-Onder, et al
26. SB 195-Koenig
27. SB 18-Kraus
28. SB 290-Schatz, with SCS
29. SB 330-Munzlinger
30. SBs 44 & 63-Romine, with SCS
31. SB 328-Romine, with SCS
32. SB 188-Munzlinger, with SCS
33. SB 102-Cunningham, with SCS
34. SB 303-Wieland, with SCS
35. SB 49-Walsh, with SCS
36. SB 147-Romine
37. SJR 9-Romine, with SCS
38. SB 122-Munzlinger, with SCS
39. SB 227-Koenig, with SCS
40. SB 210-Onder, with SCS
41. SB 220-Riddle, with SCS
42. SB 97-Sater, with SCS
43. SB 176-Dixon
44. SB 13-Dixon
45. SB 177-Dixon, with SCS
46. SB 68-Onder and Nasheed
47. SB 126-Wasson
48. SB 221-Riddle
49. SB 83-Dixon
50. SB 99-Emery
51. SB 171-Dixon and Sifton, with SCS
52. SB 158-Dixon
53. SB 157-Dixon, with SCS
54. SB 81-Dixon
55. SB 178-Dixon
56. SB 204-Sifton
57. SB 84-Kraus, with SCS
58. SB 163-Romine
59. SB 242-Emery, with SCS
60. SB 371-Schaaf
61. SB 333-Schaaf, with SCS
62. SB 295-Schaaf, with SCS
63. SB 409-Koenig
64. SB 141-Emery
65. SB 203-Sifton, with SCS
66. SB 410-Schatz
67. SB 368-Rowden
68. SB 331-Hegeman
69. SB 348-Wasson
70. SB 406-Wasson and Sater
71. SB 142-Emery
72. SB 129-Dixon and Sifton, with SCS
73. SB 96-Sater and Emery
74. SB 103-Wallingford
75. SB 196-Koenig
76. SB 230-Riddle
77. SB 88-Brown, with SCS
78. SB 200-Libla
79. SB 201-Onder, with SCS
80. SB 183-Hoskins, with SCS
81. SB 130-Kraus, with SCS
82. SB 80-Wasson, with SCS
83. SB 250-Kehoe
84. SJR 12-Eigel
85. SB 144-Wallingford
86. SB 280-Hoskins, with SCS
87. SB 115-Schupp, with SCS
88. SB 362-Hummel
89. SB 298-Curls
90. SB 234-Libla, with SCS
91. SB 442-Hegeman
92. SB 76-Munzlinger
93. SB 389-Sater, with SCS
94. SB 286-Rizzo
95. SB 267-Schatz, with SCS
96. SB 383-Eigel and Wieland

- | | |
|----------------------------------|--|
| 97. SB 336-Wieland | 110. SB 252-Dixon, with SCS |
| 98. SB 223-Schatz, with SCS | 111. SB 117-Schupp, with SCS |
| 99. SB 263-Riddle | 112. SB 138-Sater |
| 100. SB 243-Hegeman | 113. SB 271-Wasson and Richard, with SCS |
| 101. SB 156-Munzlinger, with SCS | 114. SB 426-Wasson, with SCS |
| 102. SB 85-Kraus, with SCS | 115. SB 46-Libla, with SCS |
| 103. SB 180-Nasheed, with SCS | 116. SB 145-Wallingford, with SCS |
| 104. SB 233-Wallingford | 117. SB 381-Riddle |
| 105. SB 61-Hegeman, with SCS | 118. SB 418-Hegeman, with SCS |
| 106. SJR 11-Hegeman, with SCS | 119. SB 373-Curls |
| 107. SB 358-Wieland | 120. SB 448-Emery |
| 108. SB 316-Rowden, with SCS | 121. SB 526-Brown |
| 109. SB 376-Hoskins | 122. SB 392-Holsman |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 5-Richard | SB 185-Onder, et al, with SCS |
| SB 6-Richard, with SCS | SB 189-Kehoe, with SCS |
| SB 20-Brown | SB 228-Koenig, with SS & SA 1 (pending) |
| SB 21-Brown | SBs 314 & 340-Schatz, et al, with SCS |
| SB 28-Sater, with SCS (pending) | |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | |

HOUSE BILLS ON THIRD READING

- | | |
|--|---|
| HB 95-McGaugh (Emery) | HB 251-Taylor, with SCS, SS for SCS, SA 2
& SA 3 to SA 2 (pending) (Onder) |
| HCS for HB 130, with SCS, SS for SCS &
SA 6 (pending) (Onder) | HCS for HBs 302 & 228, with SCS (Onder) |

CONSENT CALENDAR

Senate Bills

Reported 3/2

- | | |
|---------------|------------------------|
| SB 296-Hummel | SB 334-Sater, with SCS |
| SB 394-Romine | SB 363-Chappelle-Nadal |

SB 279-Kraus, with SCS
SB 332-Hegeman
SB 93-Curls, with SCS
SB 112-Schatz, with SCS
SB 366-Koenig

SB 302-Wieland
SB 222-Riddle
SB 282-Hegeman
SB 329-Kehoe

Reported 3/9

SB 405-Hegeman, with SCS
SB 30-Sater
SB 411-Schatz
SB 161-Sater, with SCS
SB 134-Chappelle-Nadal

SBs 300 & 306-Sater, with SCS
SB 486-Kehoe
SB 488-Kehoe
SB 421-Rizzo, with SCS

Reported 3/15

SB 528-Hegeman
SB 307-Munzlinger
SB 472-Hoskins
SB 128-Dixon, with SCS#2
SB 404-Hegeman, with SCS
SB 239-Rowden, with SCS

SB 355-Romine, with SCS
SB 503-Munzlinger
SB 399-Romine, with SCS
SB 501-Sater
SB 478-Silvey and Holsman
SB 490-Schupp

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

Journal of the Senate

FIRST REGULAR SESSION

FORTY-FIRST DAY—THURSDAY, MARCH 16, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

Reverend Carl Gauck offered the following prayer:

God of Creation, as we leave here this day, we do so looking forward to a week of rest and activities we don't have here. May we find time to be reenergized and restored, that our minds and our bodies be refreshed and renewed. And may we find time for stillness with You, our God that allows our souls to also be nourished by Your word and grace and open to Your presence in our lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—1

RESOLUTIONS

Senator Rizzo offered Senate Resolution No. 476, regarding Robert C. Welch, Sugar Creek, which was adopted.

Senator Rizzo offered Senate Resolution No. 477, regarding Alexis Jemes, Independence, which was adopted.

Senator Romine offered Senate Resolution No. 478, regarding Richard M. “Mike” Huffman, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 479, regarding Lori A. Bassett, Ironton, which was adopted.

Senator Romine offered Senate Resolution No. 480, regarding Elizabeth McCrorey, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 481, regarding Yvonne Graham, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 482, regarding Charles Hasty, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 483, regarding Paula AuBuchon, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 484, regarding Jan M. Skinner, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 485, regarding Pamela L. Morris, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 486, regarding Jo Jackson, Bismarck, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 169**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 34**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 433**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SB 475**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 384**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 232**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 109**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **SB 327**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 313**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 133**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 485**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 378**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **SB 434**, begs leave to report that it has considered the same and recommends that the bill do pass.

On behalf of Senator Walsh, Chairman of the Committee on Progress and Development, Senator Curls submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **SB 445**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS** for **HBs 1194** and **1193**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 207**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SJR 17**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 413**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 209**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following reports:

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 422**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 427**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **SB 430**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 379**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 391**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 311**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 240**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 395**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wallingford assumed the Chair.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Darryl M. Chatman, Democrat; Jamie L. Farmer, Republican; and Jeffrey L. Layman, Republican, as members of the University of Missouri Board of Curators;

Also,

James Timothy Bean, as State Fire Marshall; and

Craig D. Frazier, Republican; and Carol Silvey, Independent, as members of the Missouri State University Board of Governors.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments.

Senator Kehoe moved that the adoption of the above committee appointments be postponed until March 30, 2017, which motion prevailed.

President Pro Tem Richard assumed the Chair.

THIRD READING OF SENATE BILLS

SS for SCS for SB 10, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 10

An Act to repeal sections 620.800, 620.803, 620.806, 620.809, and 620.2005, RSMo, and to enact in lieu thereof five new sections relating to financial incentives for job creation.

Was taken up.

On motion of Senator Wasson, **SS for SCS for SB 10** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schatz	Schupp	Sifton	Silvey	Wallingford	Wasson	Wieland—28

NAYS—Senators

Eigel	Emery	Koenig	Schaaf—4
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Absent—Senators—None

Absent with leave—Senator Walsh—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 296, introduced by Senator Hummel, entitled:

An Act to repeal section 86.207, RSMo, and to enact in lieu thereof one new section relating to membership of the police retirement system of St. Louis as a condition of employment, with an emergency clause.

Was called from the Consent Calendar and taken up.

On motion of Senator Hummel, **SB 296** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

Emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

On motion of Senator Hummel, title to the bill was agreed to.

Senator Hummel moved that the vote by which the bill passed be reconsidered.

Senator Schaaf moved that motion lay on the table, which motion prevailed.

SB 394, introduced by Senator Romine, entitled:

An Act to repeal sections 169.141 and 169.715, RSMo, and to enact in lieu thereof two new sections relating to school employee retirement systems.

Was called from the Consent Calendar and taken up.

On motion of Senator Romine, **SB 394** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 334, introduced by Senator Sater, with **SCS**, entitled:

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to influenza education.

Was called from the Consent Calendar and taken up.

SCS for **SB 334**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 334

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to influenza education.

Was taken up.

Senator Sater moved that **SCS** for **SB 334** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 334** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 363, introduced by Senator Chappelle-Nadal, entitled:

An Act to amend chapter 198, RSMo, by adding thereto one new section relating to long-term care facilities.

Was called from the Consent Calendar and taken up.

On motion of Senator Chappelle-Nadal, **SB 363** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curly	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 279, introduced by Senator Kraus, with **SCS**, entitled:

An Act to repeal section 302.188, RSMo, and to enact in lieu thereof one new section relating to veteran designations on driver's licenses and identification cards.

Was called from the Consent Calendar and taken up.

SCS for **SB 279**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 279

An Act to repeal section 302.188, RSMo, and to enact in lieu thereof one new section relating to veteran designations on driver's licenses and identification cards.

Was taken up.

Senator Kraus moved that **SCS** for **SB 279** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 279** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 332, introduced by Senator Hegeman, entitled:

An Act to repeal section 139.100, RSMo, and to enact in lieu thereof one new section relating to the timeliness of tax payments made by postal mail.

Was called from the Consent Calendar and taken up.

On motion of Senator Hegeman, **SB 332** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 93, introduced by Senator Curls, with **SCS**, entitled:

An Act to repeal section 162.492, RSMo, and to enact in lieu thereof one new section relating to school board district elections.

Was called from the Consent Calendar and taken up.

SCS for **SB 93**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 93

An Act to repeal section 162.492, RSMo, and to enact in lieu thereof one new section relating to school board district elections.

Was taken up.

Senator Curls moved that **SCS** for **SB 93** be adopted, which motion prevailed.

On motion of Senator Curls, **SCS** for **SB 93** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 112, introduced by Senator Schatz, with **SCS**, entitled:

An Act to repeal section 182.660, RSMo, and to enact in lieu thereof one new section relating to public library districts.

Was called from the Consent Calendar and taken up.

SCS for **SB 112**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 112

An Act to repeal sections 182.640 and 182.660, RSMo, and to enact in lieu thereof two new sections relating to public library districts.

Was taken up.

Senator Schatz moved that **SCS** for **SB 112** be adopted, which motion prevailed.

On motion of Senator Schatz, **SCS** for **SB 112** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla	Walsh—2
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Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 366, introduced by Senator Koenig, entitled:

An Act to repeal sections 337.025, 337.029, and 337.033, RSMo, and to enact in lieu thereof three new sections relating to the licensure of psychologists.

Was called from the Consent Calendar and taken up.

On motion of Senator Koenig, **SB 366** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Koenig, title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 302, introduced by Senator Wieland, entitled:

An Act to repeal section 68.075, RSMo, and to enact in lieu thereof one new section relating to advanced industrial manufacturing zones.

Was called from the Consent Calendar and taken up.

On motion of Senator Wieland, **SB 302** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla Walsh—2

Vacancies—1

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 222, introduced by Senator Riddle, entitled:

An Act to amend chapter 307, RSMo, by adding thereto one new section relating to vehicle lighting equipment.

Was called from the Consent Calendar and taken up.

On motion of Senator Riddle, **SB 222** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla	Walsh—2
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Vacancies—1

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 282, introduced by Senator Hegeman, entitled:

An Act to repeal section 287.243, RSMo, and to enact in lieu thereof one new section relating to compensation awarded under the Line of Duty Compensation Act.

Was called from the Consent Calendar and taken up.

On motion of Senator Hegeman, **SB 282** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla	Walsh—2
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Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 329, introduced by Senator Kehoe, entitled:

An Act to repeal sections 407.825 and 407.826, RSMo, and to enact in lieu thereof two new sections relating to motor vehicle franchise practices.

Was called from the Consent Calendar and taken up.

On motion of Senator Kehoe, **SB 329** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators

Libla	Walsh—2
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Vacancies—1

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Onder moved that motion lay on the table, which motion prevailed.

On motion of Senator Kehoe, the Senate recessed until 1:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 634**, entitled:

An Act to repeal sections 160.400, 160.405, 160.410, 160.415, and 160.425, RSMo, and to enact in lieu thereof five new sections relating to charter schools, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS for HCS for HB 662** and has taken up and passed **SCS for HCS for HB 662**.

Emergency Clause adopted.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCB 3**, entitled:

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable senior citizens.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 452**, entitled:

An Act to repeal sections 538.205 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to the liability of an employee of a health care provider.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 153** and **SCS for HCS for HB 662**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

RESOLUTIONS

Senator Brown offered Senate Resolution No. 487, regarding Dr. Nola Rebecca Johnson, which was adopted.

Senator Hoskins offered Senate Resolution No. 488, regarding Alfred Fredrick Gustav Rohlfing, which was adopted.

Senator Sater offered Senate Resolution No. 489, regarding the Sixtieth Wedding Anniversary of Bob and Violet Sell, Forsyth, which was adopted.

Senator Curls offered Senate Resolution No. 490, regarding the death of Daniel Patrick Clarke, Sr., Kansas City, which was adopted.

Senator Schatz offered Senate Resolution No. 491, regarding James Paul “Jim” Cittadino, Chesterfield, which was adopted.

Senator Emery offered Senate Resolution No. 492, regarding Officer Jamie Arwick, which was adopted.

Senator Emery offered Senate Resolution No. 493, regarding Patrolman Tim Vogel, which was adopted.

Senator Emery offered Senate Resolution No. 494, regarding Master Police Officer/School Resource Officer Phil Grabmiller, which was adopted.

Senator Emery offered Senate Resolution No. 495, regarding Detective Don Shepard, which was adopted.

Senator Emery offered Senate Resolution No. 496, regarding Officer Dominic Malena, which was adopted.

Senator Emery offered Senate Resolution No. 497, regarding Officer Jeremiah Jacobs, which was adopted.

Senator Emery offered Senate Resolution No. 498, regarding Deputy Stephen Valentich, which was adopted.

Senator Emery offered Senate Resolution No. 499, regarding Corporal James E. Thuss, which was adopted.

Senator Sifton offered Senate Resolution No. 500, regarding Norbert Steve Harashe, St. Louis, which was adopted.

Senator Rizzo offered Senate Resolution No. 501, regarding the International Day of the Child, Independence, which was adopted.

INTRODUCTION OF GUESTS

Senator Riddle introduced to the Senate, John Armstrong, Marjean Wilmes, Marie Eggering, Kathy Hall, Cynthia Tennant, Susan Smith, Kevin Hurd, Joyce Pickering, Tim Hooton and Genevieve Weseman, representatives of the Troy Chamber of Commerce.

Senator Schupp introduced to the Senate, the Physician of the Day, Dr. Donald A. DeGrange, Creve Coeur.

Senator Cunningham introduced to the Senate, Tim Bean and representatives of the Division of Fire Safety.

Senator Cunningham introduced to the Senate, his daughter and her husband, Leah and Jeremy Loftin, and their children, Connor and Blaire, Marshfield; and Connor and Blaire were made honorary pages.

Senator Sater introduced to the Senate, Harrison and McKenna Jobes, Springfield; and Harrison and McKenna were made honorary pages.

Senator Wallingford introduced to the Senate, Christopher and Lauren Snider, and their son, Michael; and Kim Holman, Cape Girardeau.

Senator Eigel introduced to the Senate, Scotty and Jonnell Patton, and their daughter, Jady; and Julie Hillis, Weldon Springs.

Senator Chappelle-Nadal introduced to the Senate, Jennifer Kelch and Lakayline Davis.

On motion of Senator Onder, the Senate adjourned until 9:00 a.m., Tuesday, March 21, 2017.

SENATE CALENDAR

FORTY-SECOND DAY—TUESDAY, MARCH 21, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 248-Fitzwater
HCS for HB 199
HCS for HB 441
HB 587-Redmon
HB 558-Ross
HB 586-Rhoads
HB 52-Andrews
HCS for HB 247
HB 599-Hansen
HB 557-Ross
HB 262-Sommer
HB 28-Pike
HB 49-Roeber
HB 390-Vescovo
HB 61-Alferman
HB 128-Davis
HCS for HB 253
HCS for HB 647
HCS for HB 703

HB 87-Henderson
HB 678-Gannon
HB 200-Fraker
HB 664-Korman
HB 281-Rowland
HCS for HB 258
HB 256-Rhoads
HCS for HB 569
HB 811-Ruth
HCS for HB 631
HB 568-Tate
HCS for HB 304
HB 245-Rowland
HB 610-Justus
HB 701-Burns
HCS for HB 183
HCS for HB 634
HCB 3-Fitzpatrick
HCS for HB 452

SENATE BILLS FOR PERFECTION

1. SB 199-Wasson
2. SB 349-Wasson

3. SB 293-Romine
4. SB 190-Emery and Nasheed, with SCS

5. SB 184-Emery
6. SB 22-Chappelle-Nadal
7. SB 32-Emery, with SCS
8. SB 258-Munzlinger
9. SB 259-Munzlinger
10. SB 260-Munzlinger
11. SB 261-Munzlinger
12. SB 262-Munzlinger
13. SB 213-Rowden, with SCS
14. SB 123-Munzlinger
15. SB 283-Hegeman
16. SB 284-Hegeman, with SCS
17. SB 124-Wasson
18. SB 35-Cunningham
19. SB 114-Schatz
20. SB 247-Kraus, with SCS
21. SB 325-Kraus
22. SBs 285 & 17-Koenig, with SCS
23. SB 160-Sater, with SCS
24. SB 41-Wallingford and Emery
25. SB 67-Onder, et al
26. SB 195-Koenig
27. SB 18-Kraus
28. SB 290-Schatz, with SCS
29. SB 330-Munzlinger
30. SBs 44 & 63-Romine, with SCS
31. SB 328-Romine, with SCS
32. SB 188-Munzlinger, with SCS
33. SB 102-Cunningham, with SCS
34. SB 303-Wieland, with SCS
35. SB 49-Walsh, with SCS
36. SB 147-Romine
37. SJR 9-Romine, with SCS
38. SB 122-Munzlinger, with SCS
39. SB 227-Koenig, with SCS
40. SB 210-Onder, with SCS
41. SB 220-Riddle, with SCS
42. SB 97-Sater, with SCS
43. SB 176-Dixon
44. SB 13-Dixon
45. SB 177-Dixon, with SCS
46. SB 68-Onder and Nasheed
47. SB 126-Wasson
48. SB 221-Riddle
49. SB 83-Dixon
50. SB 99-Emery
51. SB 171-Dixon and Sifton, with SCS
52. SB 158-Dixon
53. SB 157-Dixon, with SCS
54. SB 81-Dixon
55. SB 178-Dixon
56. SB 204-Sifton
57. SB 84-Kraus, with SCS
58. SB 163-Romine
59. SB 242-Emery, with SCS
60. SB 371-Schaaf
61. SB 333-Schaaf, with SCS
62. SB 295-Schaaf, with SCS
63. SB 409-Koenig
64. SB 141-Emery
65. SB 203-Sifton, with SCS
66. SB 410-Schatz
67. SB 368-Rowden
68. SB 331-Hegeman
69. SB 348-Wasson
70. SB 406-Wasson and Sater
71. SB 142-Emery
72. SB 129-Dixon and Sifton, with SCS
73. SB 96-Sater and Emery
74. SB 103-Wallingford
75. SB 196-Koenig
76. SB 230-Riddle
77. SB 88-Brown, with SCS
78. SB 200-Libla
79. SB 201-Onder, with SCS
80. SB 183-Hoskins, with SCS
81. SB 130-Kraus, with SCS
82. SB 80-Wasson, with SCS
83. SB 250-Kehoe
84. SJR 12-Eigel
85. SB 144-Wallingford
86. SB 280-Hoskins, with SCS
87. SB 115-Schupp, with SCS
88. SB 362-Hummel
89. SB 298-Curls
90. SB 234-Libla, with SCS
91. SB 442-Hegeman
92. SB 76-Munzlinger

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| 93. SB 389-Sater, with SCS | 121. SB 526-Brown |
| 94. SB 286-Rizzo | 122. SB 392-Holsman |
| 95. SB 267-Schatz, with SCS | 123. SB 169-Dixon, with SCS |
| 96. SB 383-Eigel and Wieland | 124. SB 433-Sater, with SCS |
| 97. SB 336-Wieland | 125. SB 475-Schatz |
| 98. SB 223-Schatz, with SCS | 126. SB 384-Rowden, with SCS |
| 99. SB 263-Riddle | 127. SB 232-Schatz |
| 100. SB 243-Hegeman | 128. SB 109-Holsman, with SCS |
| 101. SB 156-Munzlinger, with SCS | 129. SBs 327, 238 & 360-Romine, with SCS |
| 102. SB 85-Kraus, with SCS | 130. SB 313-Koenig, with SCS |
| 103. SB 180-Nasheed, with SCS | 131. SB 133-Chappelle-Nadal |
| 104. SB 233-Wallingford | 132. SB 485-Hoskins |
| 105. SB 61-Hegeman, with SCS | 133. SB 378-Wallingford |
| 106. SJR 11-Hegeman, with SCS | 134. SB 434-Sater |
| 107. SB 358-Wieland | 135. SB 445-Rowden |
| 108. SB 316-Rowden, with SCS | 136. SB 207-Sifton |
| 109. SB 376-Hoskins | 137. SJR 17-Kraus |
| 110. SB 252-Dixon, with SCS | 138. SB 413-Munzlinger |
| 111. SB 117-Schupp, with SCS | 139. SB 209-Wallingford |
| 112. SB 138-Sater | 140. SB 422-Cunningham, with SCS |
| 113. SB 271-Wasson and Richard, with SCS | 141. SB 427-Wasson |
| 114. SB 426-Wasson, with SCS | 142. SB 430-Cunningham, with SCS |
| 115. SB 46-Libla, with SCS | 143. SB 379-Schatz |
| 116. SB 145-Wallingford, with SCS | 144. SB 391-Munzlinger |
| 117. SB 381-Riddle | 145. SB 311-Wasson, with SCS |
| 118. SB 418-Hegeman, with SCS | 146. SB 240-Schatz, with SCS |
| 119. SB 373-Curls | 147. SB 395-Hoskins |
| 120. SB 448-Emery | |

HOUSE BILLS ON THIRD READING

HB 34-Plocher

HCS for HBs 1194 & 1193 (Hegeman)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|---|
| SB 5-Richard | SB 185-Onder, et al, with SCS |
| SB 6-Richard, with SCS | SB 189-Kehoe, with SCS |
| SB 20-Brown | SB 228-Koenig, with SS & SA 1 (pending) |
| SB 21-Brown | SBs 314 & 340-Schatz, et al, with SCS |
| SB 28-Sater, with SCS (pending) | |
| SBs 37 & 244-Silvey, with SCS, SS for SCS & SA1 (pending) | |

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)
HCS for HB 130, with SCS, SS for SCS &
SA 6 (pending) (Onder)

HB 251-Taylor, with SCS, SS for SCS, SA 2 &
SA 3 to SA 2 (pending) (Onder)
HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/9

SB 405-Hegeman, with SCS
SB 30-Sater
SB 411-Schatz
SB 161-Sater, with SCS
SB 134-Chappelle-Nadal

SBs 300 & 306-Sater, with SCS
SB 486-Kehoe
SB 488-Kehoe
SB 421-Rizzo, with SCS

Reported 3/15

SB 528-Hegeman
SB 307-Munzlinger
SB 472-Hoskins
SB 128-Dixon, with SCS#2
SB 404-Hegeman, with SCS
SB 239-Rowden, with SCS

SB 355-Romine, with SCS
SB 503-Munzlinger
SB 399-Romine, with SCS
SB 501-Sater
SB 478-Silvey and Holsman
SB 490-Schupp

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

Journal of the Senate

FIRST REGULAR SESSION

FORTY-SECOND DAY—TUESDAY, MARCH 21, 2017

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 502, regarding Tyler Davis Kroenke, Lincoln, which was adopted.

On behalf of Senator Richard, Senator Kehoe offered Senate Resolution No. 503, regarding Marc Connor Spunaugle, Warsaw, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 504, regarding Stacey Leavitt Hart, Fordland, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 505, regarding Gillian Wolfe, Greenwood, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 506, regarding Nhukha Nguyen, Lee's Summit, which was adopted.

On behalf of Senator Schupp, Senator Kehoe offered Senate Resolution No. 507, regarding Charles Albert "Charlie" Buescher, Jr., Chesterfield, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, March 27, 2017.

SENATE CALENDAR

FORTY-THIRD DAY—MONDAY, MARCH 27, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 248-Fitzwater

HCS for HB 199

HCS for HB 441
 HB 587-Redmon
 HB 558-Ross
 HB 586-Rhoads
 HB 52-Andrews
 HCS for HB 247
 HB 599-Hansen
 HB 557-Ross
 HB 262-Sommer
 HB 28-Pike
 HB 49-Roeber
 HB 390-Vescovo
 HB 61-Alferman
 HB 128-Davis
 HCS for HB 253
 HCS for HB 647
 HCS for HB 703
 HB 87-Henderson

HB 678-Gannon
 HB 200-Fraker
 HB 664-Korman
 HB 281-Rowland
 HCS for HB 258
 HB 256-Rhoads
 HCS for HB 569
 HB 811-Ruth
 HCS for HB 631
 HB 568-Tate
 HCS for HB 304
 HB 245-Rowland
 HB 610-Justus
 HB 701-Burns
 HCS for HB 183
 HCS for HB 634
 HCB 3-Fitzpatrick
 HCS for HB 452

SENATE BILLS FOR PERFECTION

1. SB 199-Wasson
2. SB 349-Wasson
3. SB 293-Romine
4. SB 190-Emery and Nasheed, with SCS
5. SB 184-Emery
6. SB 22-Chappelle-Nadal
7. SB 32-Emery, with SCS
8. SB 258-Munzlinger
9. SB 259-Munzlinger
10. SB 260-Munzlinger
11. SB 261-Munzlinger
12. SB 262-Munzlinger
13. SB 213-Rowden, with SCS
14. SB 123-Munzlinger
15. SB 283-Hegeman
16. SB 284-Hegeman, with SCS
17. SB 124-Wasson
18. SB 35-Cunningham
19. SB 114-Schatz
20. SB 247-Kraus, with SCS
21. SB 325-Kraus
22. SBs 285 & 17-Koenig, with SCS

23. SB 160-Sater, with SCS
24. SB 41-Wallingford and Emery
25. SB 67-Onder, et al
26. SB 195-Koenig
27. SB 18-Kraus
28. SB 290-Schatz, with SCS
29. SB 330-Munzlinger
30. SBs 44 & 63-Romine, with SCS
31. SB 328-Romine, with SCS
32. SB 188-Munzlinger, with SCS
33. SB 102-Cunningham, with SCS
34. SB 303-Wieland, with SCS
35. SB 49-Walsh, with SCS
36. SB 147-Romine
37. SJR 9-Romine, with SCS
38. SB 122-Munzlinger, with SCS
39. SB 227-Koenig, with SCS
40. SB 210-Onder, with SCS
41. SB 220-Riddle, with SCS
42. SB 97-Sater, with SCS
43. SB 176-Dixon
44. SB 13-Dixon

45. SB 177-Dixon, with SCS
46. SB 68-Onder and Nasheed
47. SB 126-Wasson
48. SB 221-Riddle
49. SB 83-Dixon
50. SB 99-Emery
51. SB 171-Dixon and Sifton, with SCS
52. SB 158-Dixon
53. SB 157-Dixon, with SCS
54. SB 81-Dixon
55. SB 178-Dixon
56. SB 204-Sifton
57. SB 84-Kraus, with SCS
58. SB 163-Romine
59. SB 242-Emery, with SCS
60. SB 371-Schaaf
61. SB 333-Schaaf, with SCS
62. SB 295-Schaaf, with SCS
63. SB 409-Koenig
64. SB 141-Emery
65. SB 203-Sifton, with SCS
66. SB 410-Schatz
67. SB 368-Rowden
68. SB 331-Hegeman
69. SB 348-Wasson
70. SB 406-Wasson and Sater
71. SB 142-Emery
72. SB 129-Dixon and Sifton, with SCS
73. SB 96-Sater and Emery
74. SB 103-Wallingford
75. SB 196-Koenig
76. SB 230-Riddle
77. SB 88-Brown, with SCS
78. SB 200-Libla
79. SB 201-Onder, with SCS
80. SB 183-Hoskins, with SCS
81. SB 130-Kraus, with SCS
82. SB 80-Wasson, with SCS
83. SB 250-Kehoe
84. SJR 12-Eigel
85. SB 144-Wallingford
86. SB 280-Hoskins, with SCS
87. SB 115-Schupp, with SCS
88. SB 362-Hummel
89. SB 298-Curls
90. SB 234-Libla, with SCS
91. SB 442-Hegeman
92. SB 76-Munzlinger
93. SB 389-Sater, with SCS
94. SB 286-Rizzo
95. SB 267-Schatz, with SCS
96. SB 383-Eigel and Wieland
97. SB 336-Wieland
98. SB 223-Schatz, with SCS
99. SB 263-Riddle
100. SB 243-Hegeman
101. SB 156-Munzlinger, with SCS
102. SB 85-Kraus, with SCS
103. SB 180-Nasheed, with SCS
104. SB 233-Wallingford
105. SB 61-Hegeman, with SCS
106. SJR 11-Hegeman, with SCS
107. SB 358-Wieland
108. SB 316-Rowden, with SCS
109. SB 376-Hoskins
110. SB 252-Dixon, with SCS
111. SB 117-Schupp, with SCS
112. SB 138-Sater
113. SB 271-Wasson and Richard, with SCS
114. SB 426-Wasson, with SCS
115. SB 46-Libla, with SCS
116. SB 145-Wallingford, with SCS
117. SB 381-Riddle
118. SB 418-Hegeman, with SCS
119. SB 373-Curls
120. SB 448-Emery
121. SB 526-Brown
122. SB 392-Holsman
123. SB 169-Dixon, with SCS
124. SB 433-Sater, with SCS
125. SB 475-Schatz
126. SB 384-Rowden, with SCS
127. SB 232-Schatz
128. SB 109-Holsman, with SCS
129. SBs 327, 238 & 360-Romine, with SCS
130. SB 313-Koenig, with SCS
131. SB 133-Chappelle-Nadal
132. SB 485-Hoskins

133. SB 378-Wallingford
 134. SB 434-Sater
 135. SB 445-Rowden
 136. SB 207-Sifton
 137. SJR 17-Kraus
 138. SB 413-Munzlinger
 139. SB 209-Wallingford
 140. SB 422-Cunningham, with SCS

141. SB 427-Wasson
 142. SB 430-Cunningham, with SCS
 143. SB 379-Schatz
 144. SB 391-Munzlinger
 145. SB 311-Wasson, with SCS
 146. SB 240-Schatz, with SCS
 147. SB 395-Hoskins

HOUSE BILLS ON THIRD READING

HB 34-Plocher

HCS for HBs 1194 & 1193 (Hegeman)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
 SB 6-Richard, with SCS
 SB 20-Brown
 SB 21-Brown
 SB 28-Sater, with SCS (pending)
 SBs 37 & 244-Silvey, with SCS, SS for
 SCS & SA 1 (pending)

SB 185-Onder, et al, with SCS
 SB 189-Kehoe, with SCS
 SB 228-Koenig, with SS & SA 1 (pending)
 SBs 314 & 340-Schatz, et al, with SCS

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)
 HCS for HB 130, with SCS, SS for SCS &
 SA 6 (pending) (Onder)

HB 251-Taylor, with SCS, SS for SCS, SA 2 &
 SA 3 to SA 2 (pending) (Onder)
 HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/9

SB 405-Hegeman, with SCS
 SB 30-Sater
 SB 411-Schatz

SB 161-Sater, with SCS
 SB 134-Chappelle-Nadal
 SBs 300 & 306-Sater, with SCS

SB 486-Kehoe
SB 488-Kehoe

SB 421-Rizzo, with SCS

Reported 3/15

SB 528-Hegeman
SB 307-Munzlinger
SB 472-Hoskins
SB 128-Dixon, with SCS#2
SB 404-Hegeman, with SCS
SB 239-Rowden, with SCS

SB 355-Romine, with SCS
SB 503-Munzlinger
SB 399-Romine, with SCS
SB 501-Sater
SB 478-Silvey and Holsman
SB 490-Schupp

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-THIRD DAY—MONDAY, MARCH 27, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Create in me a clean heart, O God; And renew a right spirit within me.” (Psalm 51:10)

Almighty God: We return after a time of recreation and renewal and we are grateful for that time. We know that all of life continues only as long as it is renewed and so we pray daily that we might be renewed by Your Holy Spirit so that we are capable of performing the work You have given us to do. Continue to renew us so that we see our relationships with one another as a means for us to grow and understand this world in which we live. Renew us, Lord, so we may be capable of having life and living it abundantly new each day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, March 16, 2017 and Tuesday, March 21, 2017 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 508, regarding Carlton James “CJ” Blankenship, Malden, which was adopted.

Senator Sifton offered Senate Resolution No. 509, regarding Kelli Merritt, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 510, regarding Eagle Scout Joseph Phillip Roesch, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 511, regarding Stacie Boren, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 512, regarding Matthew Bright, Crestwood, which was adopted.

Senator Curls offered Senate Resolution No. 513, regarding the death of Sylvester Lee Holmes, Kansas City, which was adopted.

Senator Curls offered Senate Resolution No. 514, regarding the death of Karl Everett Jefferson, St. Louis, which was adopted.

Senator Wieland offered Senate Resolution No. 515, regarding Eagle Scout Jonathan Edward Studyvin, Barnhart, which was adopted.

Senator Eigel offered Senate Resolution No. 516, regarding Griffin D. Hays, Saint Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 517, regarding Robert Adolf “Bob” Weber, Saint Charles, which was adopted.

Senator Richard offered Senate Resolution No. 518, regarding Ron Robson, Sr., Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 519, regarding Bob Mitchell, Cassville, which was adopted.

Senator Richard offered Senate Resolution No. 520, regarding Bob Capps, Carthage, which was adopted.

Senator Munzlinger offered Senate Resolution No. 521, regarding Ann Narramore, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 522, regarding Bart Niedner, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 523, regarding Tammi Smith, Louisiana, which was adopted.

Senator Hegeman offered Senate Resolution No. 524, regarding Altrusa International of Greater Kansas City, Incorporated, Excelsior Springs, which was adopted.

Senator Hegeman offered Senate Resolution No. 525, regarding Taylor Vernon, Smithville, which was adopted.

Senator Hegeman offered Senate Resolution No. 526, regarding Rebecka Ernst, Savannah, which was adopted.

Senator Wallingford offered Senate Resolution No. 527, regarding the late Leo Joseph Giovando, Piedmont, which was adopted.

Senator Wallingford offered Senate Resolution No. 528, regarding the General Federation of Women's Clubs Marble Hill Study Club, which was adopted.

Senator Riddle offered Senate Resolution No. 529, regarding Corrections Officer II Brian Young, Bowling Green, which was adopted.

Senator Riddle offered Senate Resolution No. 530, regarding Corrections Officer II Tammy Church, Bowling Green, which was adopted.

Senator Riddle offered Senate Resolution No. 531, regarding Corrections Officer I Scott Kuck, Bowling Green, which was adopted.

Senator Riddle offered Senate Resolution No. 532, regarding Corrections Officer I Thomas Hudson, Laddonia, which was adopted.

Senator Romine requested unanimous consent of the Senate to correct the March 16, 2017 Education Committee report on **SB 327** to reflect the adoption of a Senate Committee Substitute for Senate Bills Nos. 327, 238 and 360, which request was granted.

THIRD READING OF SENATE BILLS

SB 405, introduced by Senator Hegeman, with **SCS**, entitled:

An Act to repeal section 190.327, RSMo, and to enact in lieu thereof one new section relating to emergency dispatch service boards in certain counties.

Was called from the Consent Calendar and taken up.

SCS for **SB 405**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 405

An Act to repeal section 190.327, RSMo, and to enact in lieu thereof one new section relating to emergency dispatch service boards in certain counties.

Was taken up.

Senator Hegeman moved that **SCS** for **SB 405** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **SB 405** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Emery—1

Absent—Senator Richard—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 30, introduced by Senator Sater, entitled:

An Act to repeal section 233.295, RSMo, and to enact in lieu thereof one new section relating to county road district consolidation.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 30** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Onder	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators

Nasheed Richard—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 411, introduced by Senator Schatz, entitled:

An Act to repeal section 70.370, RSMo, and to enact in lieu thereof one new section relating to the bi-state metropolitan development district.

Was called from the Consent Calendar and taken up.

On motion of Senator Schatz, **SB 411** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 161, introduced by Senator Sater, with **SCS**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Schoolcraft Ozark exploration bicentennial commission.

Was called from the Consent Calendar and taken up.

SCS for **SB 161**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 161

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Schoolcraft Ozark exploration bicentennial commission.

Was taken up.

Senator Sater moved that **SCS** for **SB 161** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SB 161** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Koenig Kraus—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 134, introduced by Senator Chappelle-Nadal, entitled:

An Act to repeal section 235.140, RSMo, and to enact in lieu thereof one new section relating to the election of board members of street light maintenance districts.

Was called from the Consent Calendar and taken up.

On motion of Senator Chappelle-Nadal, **SB 134** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators

Nasheed Walsh—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 300, introduced by Senator Sater and **SB 306**, introduced by Senator Hegeman, with **SCS**, entitled respectively:

An Act to repeal section 162.401, RSMo, and to enact in lieu thereof one new section relating to bonding requirements for treasurers of seven-director school districts.

An Act to repeal section 162.401, RSMo, and to enact in lieu thereof one new section relating to bonding requirements for treasurers of seven-director school districts.

Were called from the Consent Calendar and taken up by Senator Sater.

SCS for **SBs 300** and **306**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILLS NOS. 300 and 306

An Act to repeal sections 162.401 and 162.492, RSMo, and to enact in lieu thereof two new sections relating to governing bodies of school districts.

Was taken up.

Senator Sater moved that **SCS** for **SBs 300** and **306** be adopted, which motion prevailed.

On motion of Senator Sater, **SCS** for **SBs 300** and **306** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 486, introduced by Senator Kehoe, entitled:

An Act to authorize the conveyance of a certain state property to the city of Jefferson.

Was called from the Consent Calendar and taken up.

On motion of Senator Kehoe, **SB 486** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 488, introduced by Senator Kehoe, entitled:

An Act to authorize the conveyance of certain state properties.

Was called from the Consent Calendar and taken up.

Senator Kehoe requested unanimous consent of the Senate to suspend the rules for the purpose of offering an amendment, which request was granted.

Senator Kehoe offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 488, Page 5, Section 4, Line 44, by inserting immediately after the word “beginning” the following: “, **excepting therefrom land conveyed to the State of Missouri, acting by and through the State Highway Commission of Missouri, for supplementary State Route U**”.

Senator Kehoe moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kehoe, **SB 488**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kehoe, title to the bill was agreed to.

Senator Kehoe moved that the vote by which the bill passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SB 421, introduced by Senator Rizzo, with **SCS**, entitled:

An Act to authorize the conveyance of certain state properties to the city of Independence.

Was called from the Consent Calendar and taken up.

SCS for **SB 421**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 421

An Act to authorize the conveyance of certain state properties to the city of Independence.

Was taken up.

Senator Rizzo moved that **SCS** for **SB 421** be adopted, which motion prevailed.

On motion of Senator Rizzo, **SCS** for **SB 421** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Rizzo, title to the bill was agreed to.

Senator Rizzo moved that the vote by which the bill passed be reconsidered.

Senator Kraus moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

At the request of Senator Wasson, **SB 199** was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 349** was placed on the Informal Calendar.

Senator Romine moved that **SB 293** be taken up for perfection, which motion prevailed.

Senator Romine offered **SS** for **SB 293**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 293

An Act to repeal section 319.318, RSMo, and to enact in lieu thereof one new section relating to the per ton fee for using explosives.

Senator Romine moved that **SS** for **SB 293** be adopted.

Senator Riddle offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 293, Page 1, In the Title, Lines 3-4 of said title, by striking the following: "per ton fee for using" and inserting in lieu thereof the following: "use of"; and

Further amend said bill, page 4, section 319.318, line 25 of said page, by inserting after all of said line the following:

"319.337. Any person regulated under sections 319.300 to 319.345 shall not be subject to any action for public or private nuisance, provided that such person is operating lawfully and is not in violation of such sections."; and

Further amend the title and enacting clause accordingly.

Senator Riddle moved that the above amendment be adopted.

Senator Kraus raised the point of order that the above amendment goes beyond the scope of the bill. The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Kehoe assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Riddle, **SA 1** was withdrawn.

Senator Romine moved that **SS** for **SB 293** be adopted, which motion prevailed.

On motion of Senator Romine, **SS** for **SB 293** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, after examination of **SB 239**, with **SCS**, respectfully requests that it be removed from the Senate Consent Calendar in accordance with the provisions of Senate Rule 45.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 270**, entitled:

An Act to repeal section 451.090, RSMo, and to enact in lieu thereof one new section relating to marriage licenses.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 327**, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the Missouri senior farmers' market nutrition program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 175**, entitled:

An Act to amend chapters 266 and 275, RSMo, by adding thereto two new sections relating to agriculture.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 229**, entitled:

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to

banning certain lobbyist gifts, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 349**, entitled:

An Act to amend chapter 192, RSMo, by adding thereto one new section relating to the inspection of certain x-ray systems.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 255**, entitled:

An Act to amend chapter 316, RSMo, by adding thereto one new section relating to ticket selling practices, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 316**, entitled:

An Act to repeal sections 337.010 and 337.025, RSMo, and to enact in lieu thereof two new sections relating to the licensure of psychologists.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 680**, entitled:

An Act to amend chapter 160, RSMo, by adding thereto six new sections relating to adult high schools.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 355**, entitled:

An Act to amend chapter 442, RSMo, by adding thereto one new section relating to restrictive covenants.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 348**, entitled:

An Act to repeal section 313.040, RSMo, and to enact in lieu thereof one new section relating to bingo, with a contingent effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 191**, entitled:

An Act to repeal section 311.735, RSMo, and to enact in lieu thereof one new section relating to the division of alcohol and tobacco control fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 884**, entitled:

An Act to repeal section 8.010, RSMo, and to enact in lieu thereof two new sections relating to the state capitol complex commission.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 6**.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 12**.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HJR 10**, entitled:

Joint Resolution submitting to the qualified voters of Missouri an amendment repealing section 39(a) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to bingo.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 871**, entitled:

An Act to repeal sections 41.050, 41.070, 41.080, 41.110, 41.450, 41.460, 41.490, and 41.500, RSMo, and to enact in lieu thereof eight new sections relating to the Missouri military code.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 850**, entitled:

An Act to repeal section 40.435, RSMo, and to enact in lieu thereof one new section relating to military complaints against a commanding officer.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 805**, entitled:

An Act to repeal section 304.725, RSMo, and to enact in lieu thereof one new section relating to combat decoration license plate recognition.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 645**, entitled:

An Act to amend chapter 590, RSMo, by adding thereto one new section relating to retired peace officers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 909**, entitled:

An Act to repeal section 194.119, RSMo, and to enact in lieu thereof one new section relating to the disposition of human remains.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1045**, entitled:

An Act to repeal sections 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof seven new sections relating to fees credited to the technology trust fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 17, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Charles L. Bryant, 271 Ladue Lake Drive, Creve Coeur, Saint Louis County, Missouri 63141, as a member of the Public School Retirement System of Missouri Board of Trustees, for a term ending June 30, 2017, and until his successor is duly appointed and qualified; vice, Ronald K. Medin, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

March 21, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James M. Howerton, Republican, 535 Northwest 1250 Road, Chilhowee, Henry County, Missouri 64733, as a member of the Clean

Water Commission of the State of Missouri, for a term ending April 12, 2020, and until his successor is duly appointed and qualified; vice, Samuel D. Leake, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 21, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Ashley McCarty, Democrat, 17287 Jersey Trail, Novinger, Adair County, Missouri 63559, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2020, and until her successor is duly appointed and qualified; vice, Ashley McCarty, reappointed.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
March 21, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

John D. Reece, Democrat, 424 Northeast Thornberry Place, Lee's Summit, Jackson County, Missouri 64064, as a member of the Clean Water Commission of the State of Missouri, for a term ending April 12, 2019, and until his successor is duly appointed and qualified; vice, Buddy L. Bennett, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 533, regarding Corrections Officer II David Montgomery, Irondale, which was adopted.

Senator Hoskins offered Senate Resolution No. 534, regarding Violet Jane Corbett, Knob Noster, which was adopted.

COMMUNICATIONS

Senator Schupp submitted the following:

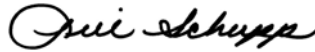
March 27, 2017
Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325

201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 45, I respectfully request that Senate Bill 472 be removed from the consent calendar.
Thank you for considering this request.

Truly,



Jill Schupp
State Senator
District 24

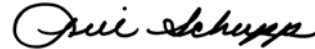
Also,

March 27, 2017
Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 45, I respectfully request that Senate Bill 307 be removed from the consent calendar.
Thank you for considering this request.

Truly,



Jill Schupp
State Senator
District 24

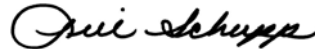
Also,

March 27, 2017
Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 45, I respectfully request that Senate Bill 528 be removed from the consent calendar.
Thank you for considering this request.

Truly,



Jill Schupp
State Senator
District 24

Also,

March 27, 2017
Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325

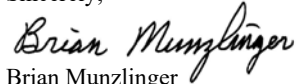
Jefferson City, MO 65101

Dear Ms. Crouse,

Pursuant to Senate Rule 45, I respectfully request that Senate Bill 490 be removed from the consent calendar.

Your assistance in this matter is appreciated.

Sincerely,



Brian Munzlinger

Senator District 18

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-FOURTH DAY—TUESDAY, MARCH 28, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 248-Fitzwater	HCS for HB 258
HCS for HB 199	HB 256-Rhoads
HCS for HB 441	HCS for HB 569
HB 587-Redmon	HB 811-Ruth
HB 558-Ross	HCS for HB 631
HB 586-Rhoads	HB 568-Tate
HB 52-Andrews	HCS for HB 304
HCS for HB 247	HB 245-Rowland
HB 599-Hansen	HB 610-Justus
HB 557-Ross	HB 701-Burns
HB 262-Sommer	HCS for HB 183
HB 28-Pike	HCS for HB 634
HB 49-Roeber	HCB 3-Fitzpatrick
HB 390-Vescovo	HCS for HB 452
HB 61-Alferman	HCS for HB 270
HB 128-Davis	HB 327-Morris
HCS for HB 253	HB 175-Reiboldt
HCS for HB 647	HCS for HB 229
HCS for HB 703	HB 349-Brown
HB 87-Henderson	HCS for HB 255
HB 678-Gannon	HCS for HB 316
HB 200-Fraker	HB 680-Fitzwater
HB 664-Korman	HB 355-Bahr
HB 281-Rowland	HCS for HB 348

HB 191-Conway
HCS for HB 884
HJR 10-Brown
HB 871-Davis
HB 850-Davis

HB 805-Basye
HCS for HB 645
HB 909-Fraker
HB 1045-Haahr

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|---------------------------------------|
| 1. SB 190-Emery and Nasheed, with SCS | 36. SB 227-Koenig, with SCS |
| 2. SB 184-Emery | 37. SB 210-Onder, with SCS |
| 3. SB 22-Chappelle-Nadal | 38. SB 220-Riddle, with SCS |
| 4. SB 32-Emery, with SCS | 39. SB 97-Sater, with SCS |
| 5. SB 258-Munzlinger | 40. SB 176-Dixon |
| 6. SB 259-Munzlinger | 41. SB 13-Dixon |
| 7. SB 260-Munzlinger | 42. SB 177-Dixon, with SCS |
| 8. SB 261-Munzlinger | 43. SB 68-Onder and Nasheed |
| 9. SB 262-Munzlinger | 44. SB 126-Wasson |
| 10. SB 213-Rowden, with SCS | 45. SB 221-Riddle |
| 11. SB 123-Munzlinger | 46. SB 83-Dixon |
| 12. SB 283-Hegeman | 47. SB 99-Emery |
| 13. SB 284-Hegeman, with SCS | 48. SB 171-Dixon and Sifton, with SCS |
| 14. SB 124-Wasson | 49. SB 158-Dixon |
| 15. SB 35-Cunningham | 50. SB 157-Dixon, with SCS |
| 16. SB 114-Schatz | 51. SB 81-Dixon |
| 17. SB 247-Kraus, with SCS | 52. SB 178-Dixon |
| 18. SB 325-Kraus | 53. SB 204-Sifton |
| 19. SBs 285 & 17-Koenig, with SCS | 54. SB 84-Kraus, with SCS |
| 20. SB 160-Sater, with SCS | 55. SB 163-Romine |
| 21. SB 41-Wallingford and Emery | 56. SB 242-Emery, with SCS |
| 22. SB 67-Onder, et al | 57. SB 371-Schaaf |
| 23. SB 195-Koenig | 58. SB 333-Schaaf, with SCS |
| 24. SB 18-Kraus | 59. SB 295-Schaaf, with SCS |
| 25. SB 290-Schatz, with SCS | 60. SB 409-Koenig |
| 26. SB 330-Munzlinger | 61. SB 141-Emery |
| 27. SBs 44 & 63-Romine, with SCS | 62. SB 203-Sifton, with SCS |
| 28. SB 328-Romine, with SCS | 63. SB 410-Schatz |
| 29. SB 188-Munzlinger, with SCS | 64. SB 368-Rowden |
| 30. SB 102-Cunningham, with SCS | 65. SB 331-Hegeman |
| 31. SB 303-Wieland, with SCS | 66. SB 348-Wasson |
| 32. SB 49-Walsh, with SCS | 67. SB 406-Wasson and Sater |
| 33. SB 147-Romine | 68. SB 142-Emery |
| 34. SJR 9-Romine, with SCS | 69. SB 129-Dixon and Sifton, with SCS |
| 35. SB 122-Munzlinger, with SCS | 70. SB 96-Sater and Emery |

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|---------------------------------|--|
| 71. SB 103-Wallingford | 108. SB 117-Schupp, with SCS |
| 72. SB 196-Koenig | 109. SB 138-Sater |
| 73. SB 230-Riddle | 110. SB 271-Wasson and Richard, with SCS |
| 74. SB 88-Brown, with SCS | 111. SB 426-Wasson, with SCS |
| 75. SB 200-Libla | 112. SB 46-Libla, with SCS |
| 76. SB 201-Onder, with SCS | 113. SB 145-Wallingford, with SCS |
| 77. SB 183-Hoskins, with SCS | 114. SB 381-Riddle |
| 78. SB 130-Kraus, with SCS | 115. SB 418-Hegeman, with SCS |
| 79. SB 80-Wasson, with SCS | 116. SB 373-Curls |
| 80. SB 250-Kehoe | 117. SB 448-Emery |
| 81. SJR 12-Eigel | 118. SB 526-Brown |
| 82. SB 144-Wallingford | 119. SB 392-Holsman |
| 83. SB 280-Hoskins, with SCS | 120. SB 169-Dixon, with SCS |
| 84. SB 115-Schupp, with SCS | 121. SB 433-Sater, with SCS |
| 85. SB 362-Hummel | 122. SB 475-Schatz |
| 86. SB 298-Curls | 123. SB 384-Rowden, with SCS |
| 87. SB 234-Libla, with SCS | 124. SB 232-Schatz |
| 88. SB 442-Hegeman | 125. SB 109-Holsman, with SCS |
| 89. SB 76-Munzlinger | 126. SBs 327, 238 & 360-Romine, with SCS |
| 90. SB 389-Sater, with SCS | 127. SB 313-Koenig, with SCS |
| 91. SB 286-Rizzo | 128. SB 133-Chappelle-Nadal |
| 92. SB 267-Schatz, with SCS | 129. SB 485-Hoskins |
| 93. SB 383-Eigel and Wieland | 130. SB 378-Wallingford |
| 94. SB 336-Wieland | 131. SB 434-Sater |
| 95. SB 223-Schatz, with SCS | 132. SB 445-Rowden |
| 96. SB 263-Riddle | 133. SB 207-Sifton |
| 97. SB 243-Hegeman | 134. SJR 17-Kraus |
| 98. SB 156-Munzlinger, with SCS | 135. SB 413-Munzlinger |
| 99. SB 85-Kraus, with SCS | 136. SB 209-Wallingford |
| 100. SB 180-Nasheed, with SCS | 137. SB 422-Cunningham, with SCS |
| 101. SB 233-Wallingford | 138. SB 427-Wasson |
| 102. SB 61-Hegeman, with SCS | 139. SB 430-Cunningham, with SCS |
| 103. SJR 11-Hegeman, with SCS | 140. SB 379-Schatz |
| 104. SB 358-Wieland | 141. SB 391-Munzlinger |
| 105. SB 316-Rowden, with SCS | 142. SB 311-Wasson, with SCS |
| 106. SB 376-Hoskins | 143. SB 240-Schatz, with SCS |
| 107. SB 252-Dixon, with SCS | 144. SB 395-Hoskins |

HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)

HCS for HBs 1194 & 1193 (Hegeman)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SB 185-Onder, et al, with SCS
SB 6-Richard, with SCS	SB 189-Kehoe, with SCS
SB 20-Brown	SB 199-Wasson
SB 21-Brown	SB 228-Koenig, with SS & SA 1 (pending)
SB 28-Sater, with SCS (pending)	SBs 314 & 340-Schatz, et al, with SCS
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 349-Wasson

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)	HB 251-Taylor, with SCS, SS for SCS, SA 2 & SA 3 to SA 2 (pending) (Onder)
HCS for HB 130, with SCS, SS for SCS & SA 6 (pending) (Onder)	HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/15

SB 128-Dixon, with SCS#2	SB 399-Romine, with SCS
SB 404-Hegeman, with SCS	SB 501-Sater
SB 355-Romine, with SCS	SB 478-Silvey and Holsman
SB 503-Munzlinger	

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe	SCR 14-Hoskins
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To be Referred

HCR 6-Justus

HCR 12-Grier

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-FOURTH DAY—TUESDAY, MARCH 28, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Righteousness will go before him, and will make a path for his steps.” (Psalm 85:13)

My Lord and God if we are to succeed in finding meaning to our lives we know that we are to be a people of integrity and love. Only then will we succeed and find the significance You have placed there for us. Help us to be consistent knowing that there are days in which we are up and others which we are down but all days hold the promise of Your presence and the affirmation of living the life You have given us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 535, regarding Michael Staten, St. Louis, which was adopted.

Senator Wasson offered Senate Resolution No. 536, regarding Eagle Scout Jared Robert Scott, Nixa, which was adopted.

Senator Wasson offered Senate Resolution No. 537, regarding Eagle Scout William Britain Rhodes, Nixa, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 190**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 190**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 190

An Act to repeal sections 386.266, 386.390, 393.1025, 393.1030, and 393.1075, RSMo, and to enact in lieu thereof fourteen new sections relating to ratemaking for public utilities, with an existing penalty provision.

Was taken up.

Senator Emery moved that **SCS** for **SB 190** be adopted.

Senator Emery offered **SS** for **SCS** for **SB 190**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 190

An Act to repeal sections 386.266, 386.390, 393.170, 393.1025, 393.1030, and 393.1075, RSMo, and to enact in lieu thereof fifteen new sections relating to ratemaking for public utilities, with an existing penalty provision.

Senator Emery moved that **SS** for **SCS** for **SB 190** be adopted.

Senator Rowden assumed the Chair.

Senator Emery offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 190, Pages 46-48, Section 393.1650, by striking all of said section and inserting in lieu thereof the following:

“393.1650. 1. This section applies to electrical corporations that have elected to subject themselves to section 393.1275 or section 393.1400 and that have more than two hundred thousand retail customers.

2. Notwithstanding any other provision of law and except as otherwise provided for by this section, such an electrical corporation’s base rates shall be frozen starting on the date new base rates were

established in the electrical corporation's last general rate proceeding concluded prior to the date the electrical corporation gave a notice under either subsection 4 of section 393.1275 or subsection 9 of section 393.1400 and ending on the third anniversary of that date.

3. If the difference between the electrical corporation's average base rates set in the electrical corporation's first general rate proceeding concluding on or after such three-year anniversary and the electrical corporation's average base rates set in the electrical corporation's most recent general rate proceeding concluded prior to the date the electrical corporation gave a notice under either subsection 4 of section 393.1275 or subsection 9 of section 393.1400 have increased by a compound annual growth rate of more than three percent, the electrical corporation shall establish a regulatory liability in the amounts specified in subsection 5 of this section. The regulatory liability shall be amortized over a reasonable period of time as determined by the commission.

4. As used in this section, "average base rates" shall be calculated by dividing the total retail revenue requirement for all the electrical corporation's rate classes by the total sales volumes for all rate classes used to set rates in the applicable general rate proceeding, exclusive of gross receipts tax, sales tax and other similar pass-through taxes.

5. The regulatory liability provided for in subsection 3 of this section shall be twelve million dollars for an electrical corporation with more than one million retail customers and three million dollars for an electrical corporation with more than two hundred thousand but not more than one million retail customers."; and

Further amend the title and enacting clause accordingly.

Senator Emery moved that the above amendment be adopted.

Senator Wallingford offered SSA 1 for SA 1:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 190, Pages 46-48, Section 393.1650, by striking all of said section and inserting in lieu thereof the following:

"393.1650. 1. This section applies to electrical corporations that have elected to subject themselves to section 393.1275 or section 393.1400 and that have more than two hundred thousand retail customers.

2. Notwithstanding any other provision of law and except as otherwise provided for by this section, such an electrical corporation's base rates shall be frozen starting on the date new base rates were established in the electrical corporation's last general rate proceeding concluded prior to the date the electrical corporation gave a notice under either subsection 4 of section 393.1275 or subsection 9 of section 393.1400 and ending on the third anniversary of that date.

3. If the difference between the electrical corporation's average base rates set in the electrical corporation's first general rate proceeding concluding on or after such three-year anniversary and the electrical corporation's average base rates set in the electrical corporation's most recent general rate proceeding concluded prior to the date the electrical corporation gave a notice under either

subsection 4 of section 393.1275 or subsection 9 of section 393.1400 have increased by a compound annual growth rate of more than three percent, the electrical corporation shall establish a regulatory liability in the amounts specified in subsection 5 of this section. The regulatory liability shall be amortized over a reasonable period of time as determined by the commission.

4. If the difference between the electrical corporation's average base rates set in the electrical corporation's first general rate proceeding concluding on or after such three-year anniversary and the electrical corporation's average base rates set in the electrical corporation's most recent general rate proceeding concluded prior to the date the electrical corporation gave a notice under either subsection 4 of section 393.1275 or subsection 9 of section 393.1400 have increased by a compound annual growth rate of more than three and three-quarters percent, the electrical corporation shall, starting with the effective date of its revised base rates, cease further deferrals under sections 393.1275 and 393.1400, with prior deferrals to be treated as provided for in such sections.

5. As used in this section, "average base rates" shall be calculated by dividing the total retail revenue requirement for all the electrical corporation's rate classes by the total sales volumes for all rate classes used to set rates in the applicable general rate proceeding, exclusive of gross receipts tax, sales tax and other similar pass-through taxes.

6. The regulatory liability provided for in subsection 3 of this section shall be twelve million dollars for an electrical corporation with more than one million retail customers and three million dollars for an electrical corporation with more than two hundred thousand but not more than one million retail customers, but not more than one million retail customers."'; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above substitute amendment be adopted.

Pursuant to Senate Rule 91, Senator Hegeman requested unanimous consent of the Senate to be excused from voting on all votes taken in the perfection of **SB 190**, which request was granted.

Senator Silvey offered **SA 1** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 190, Page 3, Line 6 By striking the word "twelve" and inserting in lieu thereof "**twenty-five**"; and further amend line 7 of said page, by striking the word "three" and inserting in lieu thereof "**six**".

Senator Silvey moved that **SA 1** to **SSA 1** for **SA 1** be adopted.

President Parson assumed the Chair.

At the request of Senator Emery, **SB 190**, with **SCS**, **SS** for **SCS**, **SA 1**, **SSA 1** for **SA 1** and **SA 1** to **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 293**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **HCR 6** and **HCR 12** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 248—Education.

HCS for **HB 199**—Local Government and Elections.

HCS for **HB 441**—Education.

HB 587—Insurance and Banking.

HB 558—Transportation, Infrastructure and Public Safety.

HB 586—Transportation, Infrastructure and Public Safety.

HB 52—Local Government and Elections.

HCS for **HB 247**—Commerce, Consumer Protection, Energy and the Environment.

HB 599—Education.

HB 557—Professional Registration.

HB 262—Seniors, Families and Children.

HB 28—General Laws.

HB 49—General Laws.

HB 390—General Laws.

HB 61—Transportation, Infrastructure and Public Safety.

HB 128—Transportation, Infrastructure and Public Safety.

HCS for **HB 253**—Education.

HCS for **HB 647**—Local Government and Elections.

HCS for **HB 703**—Local Government and Elections.

HB 87—Local Government and Elections.

HB 678—Transportation, Infrastructure and Public Safety.

HB 200—Local Government and Elections.

HB 664—Transportation, Infrastructure and Public Safety.

HB 281—Local Government and Elections.

HCS for HB 258—Professional Registration.

HB 256—Transportation, Infrastructure and Public Safety.

HCS for HB 569—General Laws.

HB 811—Transportation, Infrastructure and Public Safety.

HCS for HB 631—Education.

HB 568—Local Government and Elections.

HCS for HB 304—Health and Pensions.

HB 245—Transportation, Infrastructure and Public Safety.

HB 610—Commerce, Consumer Protection, Energy and the Environment.

HB 701—Transportation, Infrastructure and Public Safety.

HCS for HB 183—Transportation, Infrastructure and Public Safety.

HCS for HB 634—Education.

HCB 3—General Laws.

HCS for HB 452—Government Reform.

HCS for HB 270—Seniors, Families and Children.

HB 327—Agriculture, Food Production and Outdoor Resources.

HB 175—Agriculture, Food Production and Outdoor Resources.

HCS for HB 229—Rules, Joint Rules, Resolutions and Ethics.

HB 349—Professional Registration.

HCS for HB 255—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 316—Professional Registration.

HB 680—Economic Development.

HB 355—Local Government and Elections.

HCS for HB 348—Professional Registration.

HB 191—Appropriations.

HCS for HB 884—Rules, Joint Rules, Resolutions and Ethics.

HJR 10—Progress and Development.

HB 871—Veterans and Military Affairs.

HB 850—Veterans and Military Affairs.

HB 805—Transportation, Infrastructure and Public Safety.

HCS for HB 645—Transportation, Infrastructure and Public Safety.

HB 909—Judiciary and Civil and Criminal Jurisprudence.

HB 1045—Economic Development.

SENATE BILLS FOR PERFECTION

Senator Emery moved that **SB 190**, with **SCS**, **SS for SCS**, **SA 1**, **SSA 1 for SA 1** and **SA 1 to SSA 1 for SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

Senator Kehoe announced photographers from KOMU-TV were given permission to take pictures in the Senate Chamber.

Senator Schaaf requested a division of the question on **SA 1 to SSA 1 for SA 1**, asking that a vote be taken on the portion of the amendment ending with the semi-colon on line 3 and that a second vote be taken on the remainder of the amendment.

Senator Schaaf requested a standing division vote be taken on Part I of **SA 1 to SSA 1 for SA 1**, which request was granted.

Senator Schaaf moved that the debate on Part I of **SA 1 to SSA 1 for SA 1** be postponed to 10:00 a.m., March 29, 2017.

At the request of Senator Emery, **SS for SCS for SB 190** was withdrawn, rendering **SA 1**, **SSA 1 for SA 1**, **SA 1 to SSA 1 for SA 1** and the motion to postpone the vote on Part I of **SA 1 to SSA 1 for SA 1** moot.

Senator Emery offered **SS No. 2 for SCS for SB 190**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 190

An Act to repeal sections 386.266, 386.390, 393.170, 393.1025, 393.1030, and 393.1075, RSMo, and to enact in lieu thereof sixteen new sections relating to ratemaking for public utilities, with an existing penalty provision.

Senator Emery moved that **SS No. 2 for SCS for SB 190** be adopted.

Senator Kraus assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Emery, **SB 190**, with **SCS** and **SS No. 2 for SCS** (pending), was placed on the Informal Calendar

THIRD READING OF SENATE BILLS

SB 128, introduced by Senator Dixon, with **SCS No. 2**, entitled:

An Act to repeal sections 478.463 and 478.464, RSMo, and to enact in lieu thereof two new sections relating to judges in the sixteenth judicial circuit.

Was called from the Consent Calendar and taken up.

SCS No. 2 for SB 128, entitled:

SENATE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 128

An Act to repeal section 478.463, RSMo, and to enact in lieu thereof one new section relating to the sixteenth judicial circuit.

Was taken up.

Senator Dixon moved that **SCS No. 2 for SB 128** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS No. 2 for SB 128** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Eigel	Emery	Hegeman
Holsman	Hummel	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Curls—1

Absent with leave—Senator Hoskins—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 404, introduced by Senator Hegeman, with **SCS**, entitled:

An Act to repeal sections 311.185, 311.420, and 311.462, RSMo, and to enact in lieu thereof four new sections relating to transportation of alcohol products, with penalty provisions.

Was called from the Consent Calendar and taken up.

SCS for SB 404, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 404

An Act to repeal section 311.462, RSMo, relating to the transportation of wine.

Was taken up.

Senator Hegeman moved that **SCS** for **SB 404** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **SB 404** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Eigel	Hegeman	Holsman
Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schaaf
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senator Emery—1

Absent—Senators

Curls Hummel—2

Absent with leave—Senator Hoskins—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 355, introduced by Senator Romine, with **SCS**, entitled:

An Act to repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to road signs for educational institutions.

Was called from the Consent Calendar and taken up.

SCS for **SB 355**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 355

An Act to repeal section 226.520, RSMo, and to enact in lieu thereof one new section relating to road signs for educational institutions.

Was taken up.

Senator Romine moved that **SCS** for **SB 355** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 355** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Eigel	Emery	Hegeman
Holsman	Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson Wieland—30

NAYS—Senators—None

Absent—Senators

Curls Hummel—2

Absent with leave—Senator Hoskins—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 503, introduced by Senator Munzlinger, entitled:

An Act to repeal section 650.330, RSMo, and to enact in lieu thereof one new section relating to the designation of a state 911 coordinator, with an emergency clause.

Was called from the Consent Calendar and taken up.

On motion of Senator Munzlinger, **SB 503** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Hummel—1

Absent with leave—Senator Hoskins—1

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Hummel—1

Absent with leave—Senator Hoskins—1

Vacancies—1

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 399, introduced by Senator Romine, with **SCS**, entitled:

An Act to repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.170, 304.180, and 407.816, RSMo, and to enact in lieu thereof ten new sections relating to vehicle composition requirements.

Was called from the Consent Calendar and taken up.

SCS for **SB 399**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 399

An Act to repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.170, 304.180, and 407.816, RSMo, and to enact in lieu thereof ten new sections relating to vehicle composition requirements.

Was taken up.

Senator Romine moved that **SCS** for **SB 399** be adopted.

At the request of Senator Romine, the motion to adopt **SCS** for **SB 399** was withdrawn, which placed the bill back on the Consent Calendar.

SB 501, introduced by Senator Sater, entitled:

An Act to repeal section 338.010, RSMo, and to enact in lieu thereof one new section relating to pharmacist vaccine protocol.

Was called from the Consent Calendar and taken up.

On motion of Senator Sater, **SB 501** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Hoskins—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 478, introduced by Senators Silvey and Holsman, entitled:

An Act to amend chapter 162, RSMo, by adding thereto one new section relating to personal information data of students.

Was called from the Consent Calendar and taken up by Senator Silvey.

On motion of Senator Silvey, **SB 478** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hummel	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Eigel—1

Absent with leave—Senator Hoskins—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 538, regarding the death of Joelouis Mattox, Kansas City, which was adopted.

Senator Rowden offered Senate Resolution No. 539, regarding Madeline Simon, which was adopted.

Senator Rowden offered Senate Resolution No. 540, regarding Laura Nauser, Columbia, which was adopted.

Senator Rowden offered Senate Resolution No. 541, regarding Emily Shaw, which was adopted.

Senator Hegeman offered Senate Resolution No. 542, regarding the Fiftieth Anniversary of Steve and Sandy Alexander, Hopkins, which was adopted.

Senator Brown offered Senate Resolution No. 543, regarding the Sixtieth Anniversary of Mark Twain Elementary School, Phelps County, which was adopted.

Senator Sifton offered Senate Resolution No. 544, regarding Robert Gerald “Bob” Kolb, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 545, regarding Reno Renaldo Berra, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 546, regarding Thomas George “Tom” Furrer, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 547, regarding Clifford Charles “Cliff” Holmes, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 548, regarding Wallace Edward “Gump” Roth, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 549, regarding Eagle Scout Gavin Barrett-Hayes, Webster Groves, which was adopted.

Senator Libla offered Senate Resolution No. 550, regarding Victoria “Tori” Blackman, Poplar Bluff, which was adopted.

Senator Onder offered Senate Resolution No. 551, regarding Kara Schulte, which was adopted.

Senator Onder offered Senate Resolution No. 552, regarding Patrick Cahill, which was adopted.

Senator Onder offered Senate Resolution No. 553, regarding Kaydee Harper, which was adopted.

INTRODUCTION OF GUESTS

Senator Holsman introduced to the Senate, the Physician of the Day, Joanne Loethen, Kansas City.

On behalf of Senator Kehoe, the President introduced to the Senate, Dr. John Yates, Executive Director, Missouri Baptist Convention, Lohman.

Senator Eigel introduced to the Senate, Barb Hall, Recorder of Deeds, and Mary Dempsey, St. Charles County.

Senator Walsh introduced to the Senate, teacher Theresa Kremer, and seventh-grade students from St. Angela Merici School, Florissant; and Jordan Gibson, Lauren Simpkins, Daena Talavera and Derond Woods were made honorary pages.

Senator Schatz introduced to the Senate, his wife, Chara; his daughter, Devon; and his grandsons, Caden and Nolan; and Caden and Nolan were made honorary pages.

Senator Kehoe introduced to the Senate, Kathleen Gallagher, her grandchildren Raziel and Shiri, and Abby Otten.

Senator Schupp introduced to the Senate, Chuck Bryant, Creve Coeur.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-FIFTH DAY—WEDNESDAY, MARCH 29, 2017

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SB 293-Romine

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------------|----------------------------------|
| 1. SB 184-Emery | 24. SB 290-Schatz, with SCS |
| 2. SB 22-Chappelle-Nadal | 25. SB 330-Munzlinger |
| 3. SB 32-Emery, with SCS | 26. SBs 44 & 63-Romine, with SCS |
| 4. SB 258-Munzlinger | 27. SB 328-Romine, with SCS |
| 5. SB 259-Munzlinger | 28. SB 188-Munzlinger, with SCS |
| 6. SB 260-Munzlinger | 29. SB 102-Cunningham, with SCS |
| 7. SB 261-Munzlinger | 30. SB 303-Wieland, with SCS |
| 8. SB 262-Munzlinger | 31. SB 49-Walsh, with SCS |
| 9. SB 213-Rowden, with SCS | 32. SB 147-Romine |
| 10. SB 123-Munzlinger | 33. SJR 9-Romine, with SCS |
| 11. SB 283-Hegeman | 34. SB 122-Munzlinger, with SCS |
| 12. SB 284-Hegeman, with SCS | 35. SB 227-Koenig, with SCS |
| 13. SB 124-Wasson | 36. SB 210-Onder, with SCS |
| 14. SB 35-Cunningham | 37. SB 220-Riddle, with SCS |
| 15. SB 114-Schatz | 38. SB 97-Sater, with SCS |
| 16. SB 247-Kraus, with SCS | 39. SB 176-Dixon |
| 17. SB 325-Kraus | 40. SB 13-Dixon |
| 18. SBs 285 & 17-Koenig, with SCS | 41. SB 177-Dixon, with SCS |
| 19. SB 160-Sater, with SCS | 42. SB 68-Onder and Nasheed |
| 20. SB 41-Wallingford and Emery | 43. SB 126-Wasson |
| 21. SB 67-Onder, et al | 44. SB 221-Riddle |
| 22. SB 195-Koenig | 45. SB 83-Dixon |
| 23. SB 18-Kraus | 46. SB 99-Emery |

47. SB 171-Dixon and Sifton, with SCS
48. SB 158-Dixon
49. SB 157-Dixon, with SCS
50. SB 81-Dixon
51. SB 178-Dixon
52. SB 204-Sifton
53. SB 84-Kraus, with SCS
54. SB 163-Romine
55. SB 242-Emery, with SCS
56. SB 371-Schaaf
57. SB 333-Schaaf, with SCS
58. SB 295-Schaaf, with SCS
59. SB 409-Koenig
60. SB 141-Emery
61. SB 203-Sifton, with SCS
62. SB 410-Schatz
63. SB 368-Rowden
64. SB 331-Hegeman
65. SB 348-Wasson
66. SB 406-Wasson and Sater
67. SB 142-Emery
68. SB 129-Dixon and Sifton, with SCS
69. SB 96-Sater and Emery
70. SB 103-Wallingford
71. SB 196-Koenig
72. SB 230-Riddle
73. SB 88-Brown, with SCS
74. SB 200-Libla
75. SB 201-Onder, with SCS
76. SB 183-Hoskins, with SCS
77. SB 130-Kraus, with SCS
78. SB 80-Wasson, with SCS
79. SB 250-Kehoe
80. SJR 12-Eigel
81. SB 144-Wallingford
82. SB 280-Hoskins, with SCS
83. SB 115-Schupp, with SCS
84. SB 362-Hummel
85. SB 298-Curls
86. SB 234-Libla, with SCS
87. SB 442-Hegeman
88. SB 76-Munzlinger
89. SB 389-Sater, with SCS
90. SB 286-Rizzo
91. SB 267-Schatz, with SCS
92. SB 383-Eigel and Wieland
93. SB 336-Wieland
94. SB 223-Schatz, with SCS
95. SB 263-Riddle
96. SB 243-Hegeman
97. SB 156-Munzlinger, with SCS
98. SB 85-Kraus, with SCS
99. SB 180-Nasheed, with SCS
100. SB 233-Wallingford
101. SB 61-Hegeman, with SCS
102. SJR 11-Hegeman, with SCS
103. SB 358-Wieland
104. SB 316-Rowden, with SCS
105. SB 376-Hoskins
106. SB 252-Dixon, with SCS
107. SB 117-Schupp, with SCS
108. SB 138-Sater
109. SB 271-Wasson and Richard, with SCS
110. SB 426-Wasson, with SCS
111. SB 46-Libla, with SCS
112. SB 145-Wallingford, with SCS
113. SB 381-Riddle
114. SB 418-Hegeman, with SCS
115. SB 373-Curls
116. SB 448-Emery
117. SB 526-Brown
118. SB 392-Holsman
119. SB 169-Dixon, with SCS
120. SB 433-Sater, with SCS
121. SB 475-Schatz
122. SB 384-Rowden, with SCS
123. SB 232-Schatz
124. SB 109-Holsman, with SCS
125. SBs 327, 238 & 360-Romine, with SCS
126. SB 313-Koenig, with SCS

127. SB 133-Chappelle-Nadal
 128. SB 485-Hoskins
 129. SB 378-Wallingford
 130. SB 434-Sater
 131. SB 445-Rowden
 132. SB 207-Sifton
 133. SJR 17-Kraus
 134. SB 413-Munzlinger
 135. SB 209-Wallingford

136. SB 422-Cunningham, with SCS
 137. SB 427-Wasson
 138. SB 430-Cunningham, with SCS
 139. SB 379-Schatz
 140. SB 391-Munzlinger
 141. SB 311-Wasson, with SCS
 142. SB 240-Schatz, with SCS
 143. SB 395-Hoskins

HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)

HCS for HBs 1194 & 1193 (Hegeman)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
 SB 6-Richard, with SCS
 SB 20-Brown
 SB 21-Brown
 SB 28-Sater, with SCS (pending)
 SBs 37 & 244-Silvey, with SCS, SS for
 SCS & SA 1 (pending)
 SB 185-Onder, et al, with SCS

SB 189-Kehoe, with SCS
 SB 190-Emery, with SCS & SS#2 for SCS
 (pending)
 SB 199-Wasson
 SB 228-Koenig, with SS & SA 1 (pending)
 SBs 314 & 340-Schatz, et al, with SCS
 SB 349-Wasson

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)
 HCS for HB 130, with SCS, SS for SCS &
 SA 6 (pending) (Onder)

HB 251-Taylor, with SCS, SS for SCS, SA 2
 & SA 3 to SA 2 (pending) (Onder)
 HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/15

SB 399-Romine, with SCS

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-FIFTH DAY—WEDNESDAY, MARCH 29, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Humble yourselves therefore under the mighty hand of God.” (1 Peter 5:6)

Heavenly Father we return with much work before us and there are concerns in our hearts of what is needed and necessary. The pressure is slowly rising and our human wisdom would have us dictate to You or sit on judgment on Your will so we pray that we might surrender ourselves wholly, unreservedly to Your Holy will. Let us quiet our soul’s complaints and allow Your joy and love directs our thoughts and actions this day so that Your peace and gentle leading may open our hearts to say: “Father, not my will but Yours be done.” In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 554, regarding the Ninetieth birthday of Harold Alfred Schuchmann, Town & Country, which was adopted.

Senator Hoskins offered Senate Resolution No. 555, regarding Virginia Campbell, Johnson County, which was adopted.

Senator Koenig offered Senate Resolution No. 556, regarding David A. “Dave” Haffner, Saint Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 557, regarding Warren Fredrick Kaiser, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 558, regarding Margaret Ann “Marge” Meier, Kirkwood, which was adopted.

Senator Sifton offered Senate Resolution No. 559, regarding Anna DeMerit, Fenton, which was adopted.

Senator Sifton offered Senate Resolution No. 560, regarding Suzanne Marie Larkin, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 561, regarding Debbie Arnold, Fenton, which was adopted.

Senator Sifton offered Senate Resolution No. 562, regarding Amanda Berhorst, Imperial, which was adopted.

Senator Richard offered Senate Resolution No. 563, regarding Missouri State Parks, which was adopted.

Senator Richard offered Senate Resolution No. 564, regarding Jeremiah Cook, which was adopted.

Senator Eigel offered Senate Resolution No. 565, regarding Nelson Glen “Jack” Smith, Saint Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 566, regarding Vernon James Meyer, Saint Charles, which was adopted.

SENATE BILLS FOR PERFECTION

Senator Emery moved that, **SB 190**, with **SCS** and **SS No. 2** for **SCS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS No. 2 for **SCS** was again taken up.

At the request of Senator Emery, **SB 190**, with **SCS** and **SS No. 2** for **SCS** (pending), was placed on the Informal Calendar.

Senator Emery moved that **SB 184** be taken up for perfection, which motion prevailed.

Senator Emery offered **SS** for **SB 184**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 184

An Act to amend chapter 393, RSMo, by adding thereto three new sections relating to certain public utilities.

Senator Emery moved that **SS** for **SB 184** be adopted.

At the request of Senator Emery, **SB 184**, with **SS** (pending), was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **SB 490**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 468**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 239**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Parson assumed the Chair.

RE-REFERRALS

President Pro Tem Richard re-referred **HCS** for **HB 348** to the Committee on Progress and Development.

President Pro Tem Richard re-referred **HB 245** to the Committee on Ways and Means.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 14**, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of

the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2017.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

SENATE BILLS FOR PERFECTION

Senator Chappelle-Nadal moved that **SB 22** be taken up for perfection, which motion prevailed.

Senator Chappelle-Nadal offered **SS** for **SB 22**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 22

An Act to repeal section 441.236, RSMo, and to enact in lieu thereof five new sections relating to contaminated homes, with a penalty provision and an emergency clause.

Senator Chappelle-Nadal moved that **SS** for **SB 22** be adopted, which motion prevailed.

On motion of Senator Chappelle-Nadal, **SS** for **SB 22** was declared perfected and ordered printed.

SB 32, with **SCS**, was placed on the Informal Calendar.

SB 258 was placed on the Informal Calendar.

SB 259 was placed on the Informal Calendar.

SB 260 was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 261** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 262** was placed on the Informal Calendar.

Senator Rowden moved that **SB 213**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 213**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 213

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to time-limited offers to settle tort claims.

Was taken up.

Senator Rowden moved that **SCS** for **SB 213** be adopted.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 213, Page 1, Section 537.058, Lines 19-20, by striking the following “the following material terms:”; and

Further amend said bill and section, page 2, lines 21-34 by striking all of said lines and inserting in lieu

thereof the following: “**information sufficient to provide the insurer a reasonable opportunity to settle.**”; and

Further amend said bill and section, page 3, line 63, by inserting immediately after “7.” the following: “**There shall be a rebuttable presumption that**”; and further amend line 64 by striking the words “shall not be considered as” and inserting in lieu thereof the following: “**did not provide**”; and further amend line 65 by striking the words “and shall not be admissible in any”; and further amend line 66 by striking all of said line; and further amend line 67 by striking the words “for any tortfeasor”.

Senator Sifton moved that the above amendment be adopted.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Rowden, **SB 213**, with **SCS** and **SA 1** (pending), was placed on the Informal Calendar.

At the request of Senator Munzlinger, **SB 123** was placed on the Informal Calendar.

Senator Hegeman moved that **SB 283** be taken up for perfection, which motion prevailed.

On motion of Senator Hegeman, **SB 283** was declared perfected and ordered printed.

At the request of Senator Hegeman, **SB 284**, with **SCS**, was placed on the Informal Calendar.

Senator Wasson moved that **SB 124** be taken up for perfection, which motion prevailed.

Senator Wasson offered **SS** for **SB 124**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 124

An Act to repeal section 1.100, RSMo, and to enact in lieu thereof one new section relating to population designations in statutes.

President Pro Tem Richard assumed the Chair.

Senator Wasson moved that **SS** for **SB 124** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SB 124** was declared perfected and ordered printed.

President Parson assumed the Chair.

Senator Cunningham moved that **SB 35** be taken up for perfection, which motion prevailed.

Senator Cunningham offered **SS** for **SB 35**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 35

An Act to repeal section 34.030, RSMo, and to enact in lieu thereof one new section relating to land purchases made on behalf of departments of the state.

Senator Cunningham moved that **SS** for **SB 35** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SB 35** was declared perfected and ordered printed.

Senator Schatz moved that **SB 114** be taken up for perfection, which motion prevailed.

On motion of Senator Schatz, **SB 114** was declared perfected and ordered printed.

At the request of Senator Kraus, **SB 247**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Kraus, **SB 325** was placed on the Informal Calendar.

At the request of Senator Koenig, **SBs 285** and **17**, with **SCS**, was placed on the Informal Calendar.

Senator Sater moved that **SB 160**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 160**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 160

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to the foster care bill of rights.

Was taken up.

Senator Sater moved that **SCS** for **SB 160** be adopted.

Senator Sater offered **SS** for **SCS** for **SB 160**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 160

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to the foster care bill of rights.

Senator Sater moved that **SS** for **SCS** for **SB 160** be adopted, which motion prevailed.

On motion of Senator Sater, **SS** for **SCS** for **SB 160** was declared perfected and ordered printed.

At the request of Senator Wallingford, **SB 41** was placed on the Informal Calendar.

SB 67 was placed on the Informal Calendar.

Senator Koenig moved that **SB 195** be taken up for perfection, which motion prevailed.

On motion of Senator Koenig, **SB 195** was declared perfected and ordered printed.

Senator Kraus moved that **SB 18** be taken up for perfection, which motion prevailed.

Senator Romine assumed the Chair.

President Parson assumed the Chair.

Senator Silvey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 18, Page 2, Section 347.015, Line 25, by inserting after all of said line the

following:

“(9) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill, page 4, section 347.179, line 37 by inserting immediately before the word “a” as it appears the first time the following: **“a first responder,”**; and

Further amend said bill, section 351.015, page 6, line 78 by inserting after all of said line the following:

“(7) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill, section 351.065, page 9, line 22 by inserting after all of said line the following:

“(2) A first responder who provides proof of such service as a first responder to the secretary of state; or”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill and page, section 354.010, line 6 by inserting after all of said line the following:

“(3) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill, section 354.150, page 10, line 20 by inserting immediately after the word “a” as it appears the first time the following: **“first responder, a”**; and

Further amend said bill, section 355.021, page 12, line 41 after the word “a” by inserting the following: **“first responder, a”**; and

Further amend said bill, section 355.066, page 13, line 46 by inserting after all of said line the following:

“(16) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill, section 357.060, page 15, line 11 by inserting after all of said line the following:

“(2) A first responder who provides proof of such service as a first responder to the secretary of state; or”; and further renumber the remaining subdivisions accordingly; and further amend line 15 by inserting after all of said line the following:

“(1) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill, section 358.020, page 16, line 8 by inserting after all of said line the following:

“(5) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill, section 358.440, page 21, line 164 by inserting after all of said line the following:

“(2) A first responder who provides proof of such service as a first responder to the secretary of state; or”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill and page, section 359.011, line 9 by inserting after all of said line the following:

“(4) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill, section 359.651, page 23, line 19 by inserting after the word “a” as it appears the second time the following: **“first responder, a”**; and

Further amend said bill and page, section 394.020, line 2 by inserting after all of said line the following:

“(1) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill, page 24, section 394.250, line 14 by inserting after all of said line the following:

“(2) A first responder who provides proof of such service as a first responder to the secretary of state; or”; and further renumber the remaining subdivisions accordingly; and

Further amend said bill and page, section 417.220, line 8 by inserting after all of said line the following:

“(2) A first responder who provides proof of such service as a first responder to the secretary of state; or”; and further renumber the remaining subdivisions accordingly; and

Further amend line 12 by inserting after all of said line the following:

“(1) “First Responder”, the same meaning as in section 67.145 and his or her spouse;”; and further renumber the remaining subdivisions accordingly.

Senator Silvey moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Curls, Holsman, Kehoe and Schaaf.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Nasheed	Rizzo
Romine	Schupp	Sifton	Silvey	Walsh—12		

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schaaf	Schatz	Wallingford	Wasson	Wieland—21

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Rowden assumed the Chair.

President Parson assumed the Chair.

Senator Hoskins offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 18, Page 1, In the Title, Line 5, by striking the words “business fees” and inserting in lieu thereof the following: “the collection of money by public entities”; and

Further amend said bill and page, section A, line 6, by inserting after all of said line the following:

“1.310. 1. This section shall be known and may be cited as the “Big Government Get Off My Back Act”.

2. Any federal mandate compelling the state to enact, enforce, or administer a federal regulatory program shall be subject to authorization through appropriation or statutory enactment.

3. No user fees imposed by the state of Missouri shall increase for the five-year period beginning on August 28, 2009, **and for the five-year period beginning on August 28, 2017**, unless such fee increase is to implement a federal program administered by the state or is a result of an act of the general assembly. For purposes of this section, “user fee” does not include employer taxes or contributions, assessments to offset the cost of examining insurance or financial institutions, any health-related taxes approved by the Center for Medicare and Medicaid Services, or any professional or occupational licensing fees set by a board of members of that profession or occupation and required by statute to be set at a level not to exceed the cost of administration.

4. For the five-year period beginning on August 28, 2009, **and for the five-year period beginning on August 28, 2017**, any state agency proposing a rule as that term is defined in subdivision (6) of section 536.010, other than any rule promulgated as a result of a federal mandate, or to implement a federal program administered by the state or an act of the general assembly, shall either:

(1) Certify that the rule does not have an adverse impact on small businesses consisting of fewer than [fifty] **twenty-five** full- or part-time employees; or

(2) Certify that the rule is necessary to protect the life, health or safety of the public; or

(3) **Certify that the rule relates to the implementation of a government program that utilizes private contractors and the rule would result in net savings to Missouri taxpayers; or**

(4) Exempt any small business consisting of fewer than [fifty] **twenty-five** full- or part-time employees from coverage.

5. The provisions of this section shall not be construed to prevent or otherwise restrict an agency from promulgating emergency rules pursuant to section 536.025, or from rescinding any existing rule pursuant to section 536.021.

143.173. 1. As used in this section, the following terms mean:

(1) “County average wage”, the average wages in each county as determined by the department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of this section;

(2) “Deduction”, an amount subtracted from the taxpayer's Missouri adjusted gross income to determine Missouri taxable income, or federal taxable income in the case of a corporation, for the tax year in which such deduction is claimed;

(3) “Full-time employee”, a position in which the employee is considered full-time by the taxpayer and is required to work an average of at least thirty-five hours per week for a fifty-two week period;

(4) “New job”, the number of full-time employees employed by the small business in Missouri on the qualifying date that exceeds the number of full-time employees employed by the small business in Missouri on the same date of the immediately preceding taxable year;

(5) “Qualifying date”, any date during the tax year as chosen by the small business;

(6) “Small business”, any small business, including any sole proprietorship, partnership, S-corporation, C-corporation, limited liability company, limited liability partnership, or other business entity, consisting of fewer than [fifty] **twenty-five** full- or part-time employees;

(7) “Taxpayer”, any small business subject to the income tax imposed in this chapter, including any sole proprietorship, partnership, S-corporation, C-corporation, limited liability company, limited liability partnership, or other business entity.

2. In addition to all deductions listed in this chapter, for all taxable years beginning on or after January 1, 2011, and ending on or before December 31, 2014, **and for all tax years beginning on or after January 1, 2017, and ending on or before December 31, 2021**, a taxpayer shall be allowed a deduction for each new job created by the small business in the taxable year. Tax deductions allowed to any partnership, limited liability company, S-corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of such entity for their direct use in accordance with the provisions of any agreement among such partners, members, or shareholders. The deduction amount shall be as follows:

(1) Ten thousand dollars for each new job created with an annual salary of at least the county average wage; or

(2) Twenty thousand dollars for each new job created with an annual salary of at least the county average wage if the small business offers health insurance and pays at least fifty percent of such insurance premiums.

3. The department of revenue shall establish the procedure by which the deduction provided in this section may be claimed, and may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2011, shall be invalid and void.

4. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall automatically sunset on December thirty-first three years after August 28, [2011] **2018**, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset on December thirty-first three years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.”; and

Further amend the title and enacting clause accordingly.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Kraus, **SB 18**, as amended, was declared perfected and ordered printed.

Senator Rowden moved that **SB 213**, with **SCS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Sifton moved that the above amendment be adopted, which motion failed.

Senator Rowden offered **SS** for **SCS** for **SB 213**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 213

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to time-limited offers to settle tort claims.

Senator Rowden moved that **SS** for **SCS** for **SB 213** be adopted, which motion prevailed.

On motion of Senator Rowden, **SS** for **SCS** for **SB 213** was declared perfected and ordered printed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 160**; **SB 195**; **SB 114**; **SS** for **SB 35**; **SB 283**; **SS** for **SB 124**; and **SS** for **SB 22**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

REFERRALS

President Pro Tem Richard referred **SS** for **SB 22** to the Committee on Fiscal Oversight.

RESOLUTIONS

Senator Chappelle-Nadal offered Senate Resolution No. 567, regarding Marilyn Phillips, University City, which was adopted.

Senator Sifton offered Senate Resolution No. 568, regarding Gordon Lyle “Gordy” Shull, which was adopted.

Senator Sifton offered Senate Resolution No. 569, regarding Julie Fite, Arnold, which was adopted.

Senator Hoskins offered Senate Resolution No. 570, regarding Dr. Conan Castle, Warrensburg, which

was adopted.

Senator Hoskins offered Senate Resolution No. 571, regarding Anna Bueker, Higginsville, which was adopted.

Senator Wasson offered Senate Resolution No. 572, regarding Victoria “Tori” York, Highlandville, which was adopted.

Senator Sifton offered Senate Resolution No. 573, regarding Dana Skrabacz, St. Louis, which was adopted.

Senator Wallingford offered Senate Resolution No. 574, regarding Tom Davisson, Cape Girardeau, which was adopted.

Senator Cunningham offered Senate Resolution No. 575, regarding Barbara Simpson, Alton, which was adopted.

Senator Cunningham offered Senate Resolution No. 576, regarding April Bean, Success, which was adopted.

INTRODUCTION OF GUESTS

Senator Walsh introduced to the Senate, Bill Fronczak, and representatives of Ambassadors for Health, Mathews-Dickey Boys’ and Girls’ Club, St. Louis.

Senator Wallingford introduced to the Senate, Drema Hamilton, Torrance Shepherd, D’madrius Anthony, Quinton Williams, Jr., and Quin’Trey Williams, Cape Girardeau; and D’madrius, Quinton and Quin’Trey were made honorary pages.

On behalf of Senator Curls and himself, Senator Holsman introduced to the Senate, President Khalil Odums, Mahryn Barron, Trail White and Ben Roth, representatives of Show Me Arts, Paseo Academy.

Senator Hoskins introduced to the Senate, advisor Shari Bax, President Luke Hawley, Chris Dunaway, Bo Kennedy, Trae Q. L. Venerable, Julianne Kaufmann, Courtney Abt, Zachary Walker, Israel Henke, Ray Reed, Tim Peterson and Davontae Hair, representatives of the University of Central Missouri Student Government Association, Warrensburg.

Senator Koenig introduced to the Senate, Maya and Reggi Rideout, Fenton.

Senator Onder introduced to the Senate, members of Wentzville Holt High School band.

Senator Nasheed introduced to the Senate, President Dr. Dwaun Warmack, and Reynolda Brown, Harris-Stowe State University, St. Louis.

Senator Emery introduced to the Senate, Superintendent Dr. Zach Harris, Athletic Director Dale Patton, coaches Scott Bailey, Thad Lundine, Brett Pettibon, Steven Bailey and Colby Hall; and JD Allen, Sam Buzzard, Angel Contreras, Tristen Foster, Hunter Gepner, Luke Hardman, Will Jeffries, Bryce Mason, Trey Mooney, Kendall Morrow, Kyler Overstreet, Tanner Phipps, Matt Whyman and Anthony Wilkerson, Lamar High School Tigers football team.

Senator Emery introduced to the Senate, coaches Rodney Baldridge and Susan Ray; and Jesse Compton, Will Hagen and Kip Roland, Lamar High School Tigers cross country team.

Senator Holsman introduced to the Senate, Vickie Wolgast and members of South Kansas City Chamber of Commerce Leadership Class.

Senator Emery introduced to the Senate, coach Brent Maxwell and members of Harrisonville High School Wildcats 2016 Class 4 state champion football team.

Senator Onder introduced to the Senate, Ashley, Ella, Jake, Hailey, Elyssa and Stacey, representatives of March of Dimes, St. Charles.

Senator Schatz introduced to the Senate, members of St. Francis-Borgia High School Pro-Life Club, Washington.

Senator Riddle introduced to the Senate, representatives of Mexico High School Fine Arts Department.

Senator Walsh introduced to the Senate, former State Representative Ed Wildberger, St. Joseph.

Senator Emery introduced to the Senate, teacher Tabitha Badcock, and Brendon Jones, Victoria Garsow and Bailey Sims, Belton High School.

Senator Riddle introduced to the Senate, teacher Matthew Easley and students of Elsberry High School Youth in Government class.

Senator Cunningham introduced to the Senate, students of Marshfield Scholars Government Class, Marshfield High School.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-SIXTH DAY—THURSDAY, MARCH 30, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 14

THIRD READING OF SENATE BILLS

SS for SB 293-Romine
SS for SCS for SB 160-Sater
SB 195-Koenig
SB 114-Schatz
SS for SB 35-Cunningham

SB 283-Hegeman
SS for SB 124-Wasson
SS for SB 22-Chappelle-Nadal
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 290-Schatz, with SCS
2. SB 330-Munzlinger
3. SBs 44 & 63-Romine, with SCS
4. SB 328-Romine, with SCS
5. SB 188-Munzlinger, with SCS
6. SB 102-Cunningham, with SCS
7. SB 303-Wieland, with SCS
8. SB 49-Walsh, with SCS
9. SB 147-Romine
10. SJR 9-Romine, with SCS
11. SB 122-Munzlinger, with SCS
12. SB 227-Koenig, with SCS
13. SB 210-Onder, with SCS
14. SB 220-Riddle, with SCS
15. SB 97-Sater, with SCS
16. SB 176-Dixon
17. SB 13-Dixon
18. SB 177-Dixon, with SCS
19. SB 68-Onder and Nasheed
20. SB 126-Wasson
21. SB 221-Riddle
22. SB 83-Dixon
23. SB 99-Emery
24. SB 171-Dixon and Sifton, with SCS
25. SB 158-Dixon
26. SB 157-Dixon, with SCS
27. SB 81-Dixon
28. SB 178-Dixon
29. SB 204-Sifton
30. SB 84-Kraus, with SCS
31. SB 163-Romine
32. SB 242-Emery, with SCS
33. SB 371-Schaaf
34. SB 333-Schaaf, with SCS
35. SB 295-Schaaf, with SCS
36. SB 409-Koenig
37. SB 141-Emery
38. SB 203-Sifton, with SCS
39. SB 410-Schatz
40. SB 368-Rowden
41. SB 331-Hegeman
42. SB 348-Wasson
43. SB 406-Wasson and Sater
44. SB 142-Emery
45. SB 129-Dixon and Sifton, with SCS
46. SB 96-Sater and Emery
47. SB 103-Wallingford
48. SB 196-Koenig
49. SB 230-Riddle
50. SB 88-Brown, with SCS
51. SB 200-Libla
52. SB 201-Onder, with SCS
53. SB 183-Hoskins, with SCS
54. SB 130-Kraus, with SCS
55. SB 80-Wasson, with SCS
56. SB 250-Kehoe
57. SJR 12-Eigel
58. SB 144-Wallingford
59. SB 280-Hoskins, with SCS
60. SB 115-Schupp, with SCS
61. SB 362-Hummel
62. SB 298-Curls
63. SB 234-Libla, with SCS
64. SB 442-Hegeman
65. SB 76-Munzlinger
66. SB 389-Sater, with SCS
67. SB 286-Rizzo
68. SB 267-Schatz, with SCS
69. SB 383-Eigel and Wieland
70. SB 336-Wieland
71. SB 223-Schatz, with SCS
72. SB 263-Riddle
73. SB 243-Hegeman
74. SB 156-Munzlinger, with SCS
75. SB 85-Kraus, with SCS
76. SB 180-Nasheed, with SCS
77. SB 233-Wallingford
78. SB 61-Hegeman, with SCS
79. SJR 11-Hegeman, with SCS
80. SB 358-Wieland
81. SB 316-Rowden, with SCS
82. SB 376-Hoskins
83. SB 252-Dixon, with SCS
84. SB 117-Schupp, with SCS

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| 85. SB 138-Sater | 105. SB 485-Hoskins |
| 86. SB 271-Wasson and Richard, with SCS | 106. SB 378-Wallingford |
| 87. SB 426-Wasson, with SCS | 107. SB 434-Sater |
| 88. SB 46-Libla, with SCS | 108. SB 445-Rowden |
| 89. SB 145-Wallingford, with SCS | 109. SB 207-Sifton |
| 90. SB 381-Riddle | 110. SJR 17-Kraus |
| 91. SB 418-Hegeman, with SCS | 111. SB 413-Munzlinger |
| 92. SB 373-Curls | 112. SB 209-Wallingford |
| 93. SB 448-Emery | 113. SB 422-Cunningham, with SCS |
| 94. SB 526-Brown | 114. SB 427-Wasson |
| 95. SB 392-Holsman | 115. SB 430-Cunningham, with SCS |
| 96. SB 169-Dixon, with SCS | 116. SB 379-Schatz |
| 97. SB 433-Sater, with SCS | 117. SB 391-Munzlinger |
| 98. SB 475-Schatz | 118. SB 311-Wasson, with SCS |
| 99. SB 384-Rowden, with SCS | 119. SB 240-Schatz, with SCS |
| 100. SB 232-Schatz | 120. SB 395-Hoskins |
| 101. SB 109-Holsman, with SCS | 121. SB 490-Schupp |
| 102. SBs 327, 238 & 360-Romine, with SCS | 122. SB 468-Hegeman |
| 103. SB 313-Koenig, with SCS | 123. SB 239-Rowden, with SCS |
| 104. SB 133-Chappelle-Nadal | |

HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)

HCS for HBs 1194 & 1193 (Hegeman)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---|--|
| SB 5-Richard | SB 189-Kehoe, with SCS |
| SB 6-Richard, with SCS | SB 190-Emery, with SCS & SS#2 for SCS
(pending) |
| SB 20-Brown | SB 199-Wasson |
| SB 21-Brown | SB 228-Koenig, with SS & SA 1 (pending) |
| SB 28-Sater, with SCS (pending) | SB 247-Kraus, with SCS |
| SB 32-Emery, with SCS | SB 258-Munzlinger |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | SB 259-Munzlinger |
| SB 41-Wallingford and Emery | SB 260-Munzlinger |
| SB 67-Onder, et al | SB 261-Munzlinger |
| SB 123-Munzlinger | SB 262-Munzlinger |
| SB 184-Emery, with SS (pending) | SB 284-Hegeman, with SCS |
| SB 185-Onder, et al, with SCS | SBs 285 & 17-Koenig, with SCS |

SBs 314 & 340-Schatz, et al, with SCS
SB 325-Kraus

SB 349-Wasson

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)
HCS for HB 130, with SCS, SS for SCS &
SA 6 (pending) (Onder)

HB 251-Taylor, with SCS, SS for SCS, SA 2
& SA 3 to SA 2 (pending) (Onder)
HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/15

SB 399-Romine, with SCS

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-SIXTH DAY—THURSDAY, MARCH 30, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Saying ‘Yes’ to God’s gift of love and life primarily and above all else means choosing love as a life principle.” (John Powell)

Loving God: As we complete this day’s work and journey back to those we love, let us be thankful for Your teaching us the meaning of loving imperfect people as ourselves so that we might overlook flaws of others. And help us, Lord, make love our “life principle” expressing it in our varied relationships You have given us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

The Senate observed a moment of silence for Independence Police Officer Thomas Wagstaff.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 577, regarding the Developmental Disabilities Resource Board, Saint Charles County, which was adopted.

Senator Wallingford offered Senate Resolution No. 578, regarding Glenn Reeves, which was adopted.

Senator Wallingford offered Senate Resolution No. 579, regarding Gary W. Rust, Cape Girardeau, which was adopted.

Senator Romine offered Senate Resolution No. 580, regarding Homer Lowell Patterson, Ste. Genevieve, which was adopted.

Senator Kraus offered Senate Resolution No. 581, regarding the One Hundredth Birthday of Shirley Emaline Mueller, Blue Springs, which was adopted.

Senator Hegeman offered Senate Resolution No. 582, regarding Eagle Scout Beckett Phillips, Albany, which was adopted.

Senator Hegeman offered Senate Resolution No. 583, regarding Eagle Scout Conner Osmon, Albany, which was adopted.

Senator Riddle offered Senate Resolution No. 584, regarding the Sixtieth Anniversary of David and Micky Charlick, which was adopted.

Senator Wallingford offered Senate Resolution No. 585, regarding Scott R. Clark, Cape Girardeau, which was adopted.

Senator Brown offered Senate Resolution No. 586, regarding Phillip Cohen, which was adopted.

Senator Walsh offered the following resolution:

SENATE RESOLUTION NO. 587

WHEREAS, the Missouri Senate recognizes the importance of programs designed to provide college students the opportunity to enhance their leadership qualities; and

WHEREAS, the 21st Century Leadership Academy hosted by the University of Missouri-St. Louis is an intense program designed to encourage women's public sector leadership; and

WHEREAS, the Leadership Academy curriculum includes interactive panel discussions and skill-building workshops, as well as the opportunity to participate in a mock legislative session; and

WHEREAS, the Missouri Senate has a long tradition of assisting those seeking insight into the Legislative Branch of state government by granting use of the Senate Chamber.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the 21st Century Leadership Academy use of the Senate Chamber for the purpose of conducting a mock legislative session from 10:00 am to 11:30 am on Wednesday, May 24, 2017.

Senator Walsh requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 587** up for adoption, which request was granted.

On motion of Senator Walsh, **SR 587** was adopted.

Senator Riddle offered Senate Resolution No. 588, regarding Donald "Doc" Kritzer, Fulton, which was adopted.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Emery, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **HB 462**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **HB 461**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **HCS for HB 460**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following reports:

Mr. President: Your Committee on Economic Development, to which was referred **SB 469**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **SB 517**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **HB 93**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **HCS for HB 115**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **HB 655**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 35**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Onder, Chairman of the Committee on General Laws, submitted the following report:

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HBs 91, 42, 131, 265** and **314**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 213** and **SB 18**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 9**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 21**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 66**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HBs 190** and **208**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS** for **HB 451**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 51**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following reports:

Mr. President: Your Committee on Insurance and Banking, to which was referred **HCS** for **HB 292**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **HCS** for **HBs 337, 259, and 575** begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **HB 336**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Insurance and Banking, to which was referred **HCS** for **HB 427**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 435**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 451**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 419**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 85**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 207**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

REFERRALS

President Pro Tem Richard referred **SB 18** to the Committee on Fiscal Oversight.

GUBERNATORIAL APPOINTMENTS

Senator Richard withdrew the motion to adopt the committee reports submitted by the Committee on Gubernatorial Appointments appearing on Page 523 of the Senate Journal for Thursday, March 16, 2017.

Senator Richard withdrew the aforementioned committee reports.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HCS for HB 14—Appropriations.

Senator Kehoe requested unanimous consent of the Senate to move Senate Bills numbered 1-123 from the Formal Perfection Calendar to the Informal Calendar, which request was granted.

THIRD READING OF SENATE BILLS

SS for SB 293, introduced by Senator Romine, entitled:

**SENATE SUBSTITUTE FOR
SENATE BILL NO. 293**

An Act to repeal section 319.318, RSMo, and to enact in lieu thereof one new section relating to the per ton fee for using explosives.

Was taken up.

On motion of Senator Romine, **SS for SB 293** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh

Wieland—29

NAYS—Senators

Eigel	Koenig	Kraus—3
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Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SCS for SB 160, introduced by Senator Sater, entitled:

**SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 160**

An Act to amend chapter 210, RSMo, by adding thereto one new section relating to the foster care bill

of rights.

Was taken up.

On motion of Senator Sater, **SS** for **SCS** for **SB 160** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wieland—31				

NAYS—Senators—None

Absent—Senators

Munzlinger Wasson—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 195, introduced by Senator Koenig, entitled:

An Act to repeal section 475.024, RSMo, and to enact in lieu thereof four new sections relating to guardianships.

Was taken up.

On motion of Senator Koenig, **SB 195** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wieland—32			

NAYS—Senators—None

Absent—Senator Wasson—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Koenig, title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 114, introduced by Senator Schatz, entitled:

An Act to repeal section 49.060, RSMo, and to enact in lieu thereof one new section relating to vacancies in the office of county commissioner, with an emergency clause.

Was taken up.

On motion of Senator Schatz, **SB 114** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Sifton—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Sifton—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 35, introduced by Senator Cunningham, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 35

An Act to repeal section 34.030, RSMo, and to enact in lieu thereof one new section relating to land purchases made on behalf of departments of the state.

Was taken up.

On motion of Senator Cunningham, **SS for SB 35** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Hummel Schupp—2

Absent—Senator Munzlinger—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 283, introduced by Senator Hegeman, entitled:

An Act to repeal sections 137.565 and 233.180, RSMo, and to enact in lieu thereof two new sections relating to special road district commissioner elections.

Was taken up.

On motion of Senator Hegeman, **SB 283** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Nasheed	Onder	Richard	Riddle	Rizzo	Romine

Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Munzlinger—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 124, introduced by Senator Wasson, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 124

An Act to repeal section 1.100, RSMo, and to enact in lieu thereof one new section relating to population designations in statutes.

Was taken up.

On motion of Senator Wasson, **SS for SB 124** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 697**, entitled:

An Act to repeal section 210.1014, RSMo, and to enact in lieu thereof two new sections relating to the Amber Alert System.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 843**, entitled:

An Act to repeal section 50.740, RSMo, and to enact in lieu thereof one new section relating to county budgets.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 964**, entitled:

An Act to amend chapter 227, RSMo, by adding thereto one new section relating to the designation of a memorial highway.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 174**, entitled:

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to the right to life, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 104**, entitled:

An Act to repeal sections 8.675, 8.683, 34.217, 89.410, 285.500, 290.095, 290.210, 290.220, 290.230, 290.240, 290.250, 290.260, 290.262, 290.263, 290.265, 290.270, 290.280, 290.290, 290.300, 290.305,

290.315, 290.320, 290.325, 290.330, 290.335, 290.340, 290.550, 292.630, 393.715, 516.130, and 630.546, RSMo, and to enact in lieu thereof eleven new sections relating to the prevailing wage on public works.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 589, regarding the Ninety-ninth Birthday of Bessie Marie Mercer, Seymour, which was adopted.

Senator Cunningham offered Senate Resolution No. 590, regarding Shannon Heating and Cooling, Mountain Grove, which was adopted.

Senator Walsh offered Senate Resolution No. 591, regarding Albert M. “Al” Joellenbeck, Florissant, which was adopted.

INTRODUCTION OF GUESTS

Senator Hummel introduced to the Senate, Ben Strand and Brayden Wakula, Clayton; and Ben and Brayden were made honorary pages.

Senator Schupp introduced to the Senate, teachers Andrea Newstead, Gaby Cullman, Laura Putillo and Patty Bloom; and fourth-grade students from Saul Mirowitz Jewish Community School, St. Louis.

Senator Cunningham introduced to the Senate, John and Rose Whelan, Licking.

Senator Cunningham introduced to the Senate, eighth-grade students from Raymondville School District.

Senator Holsman introduced to the Senate, Sarah and Charlie Skinner, Webster Groves.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, April 3, 2017.

SENATE CALENDAR

FORTY-SEVENTH DAY—MONDAY, APRIL 3, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 697-Trent
HB 843-McGaugh
HB 964-Kendrick

HCS for HB 174
HB 104-Love

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal
(In Fiscal Oversight)

SS for SCS for SB 213-Rowden
SB 18-Kraus (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 469-Schatz
SB 517-Wasson
SB 435-Cunningham, with SCS

SB 451-Nasheed
SB 419-Riddle

HOUSE BILLS ON THIRD READING

1. HB 34-Plocher (Dixon)
2. HCS for HBs 1194 & 1193 (Hegeman)
3. HB 462-Kolkmeyer (Munzlinger)
4. HB 461-Kolkmeyer
5. HCS for HB 460 (Munzlinger)
6. HB 93-Lauer, with SCS (Wasson)
7. HCS for HB 115, with SCS (Wasson)
8. HB 655-Engler (Dixon)
9. HB 35-Plocher
10. HCS for HBs 91, 42, 131, 265 & 314

11. HCS for HB 66, with SCS (Sater)
12. HCS for HBs 190 & 208 (Eigel)
13. HCS for HB 451 (Wasson)
14. HB 51-Andrews, with SCS (Hegeman)
15. HCS for HB 292, with SCS (Cunningham)
16. HCS for HBs 337, 259 & 575 (Wieland)
17. HB 336-Shull (Wieland)
18. HCS for HB 427, with SCS (Kehoe)
19. HB 85-Redmon, with SCS (Hegeman)
20. HB 207-Fitzwater (Romine)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
SB 6-Richard, with SCS
SB 13-Dixon
SB 20-Brown
SB 21-Brown
SB 28-Sater, with SCS (pending)
SB 32-Emery, with SCS
SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)
SB 41-Wallingford and Emery

SBs 44 & 63-Romine, with SCS
SB 46-Libla, with SCS
SB 49-Walsh, with SCS
SB 61-Hegeman, with SCS
SB 67-Onder, et al
SB 68-Onder and Nasheed
SB 76-Munzlinger
SB 80-Wasson, with SCS
SB 81-Dixon
SB 83-Dixon

SB 84-Kraus, with SCS	SB 196-Koenig
SB 85-Kraus, with SCS	SB 199-Wasson
SB 88-Brown, with SCS	SB 200-Libla
SB 96-Sater and Emery	SB 201-Onder, with SCS
SB 97-Sater, with SCS	SB 203-Sifton, with SCS
SB 99-Emery	SB 204-Sifton
SB 102-Cunningham, with SCS	SB 207-Sifton
SB 103-Wallingford	SB 209-Wallingford
SB 109-Holsman, with SCS	SB 210-Onder, with SCS
SB 115-Schupp, with SCS	SB 220-Riddle, with SCS
SB 117-Schupp, with SCS	SB 221-Riddle
SB 122-Munzlinger, with SCS	SB 223-Schatz, with SCS
SB 123-Munzlinger	SB 227-Koenig, with SCS
SB 126-Wasson	SB 228-Koenig, with SS & SA 1 (pending)
SB 129-Dixon and Sifton, with SCS	SB 230-Riddle
SB 130-Kraus, with SCS	SB 232-Schatz
SB 133-Chappelle-Nadal	SB 233-Wallingford
SB 138-Sater	SB 234-Libla, with SCS
SB 141-Emery	SB 239-Rowden, with SCS
SB 142-Emery	SB 240-Schatz, with SCS
SB 144-Wallingford	SB 242-Emery, with SCS
SB 145-Wallingford, with SCS	SB 243-Hegeman
SB 147-Romine	SB 247-Kraus, with SCS
SB 156-Munzlinger, with SCS	SB 250-Kehoe
SB 157-Dixon, with SCS	SB 252-Dixon, with SCS
SB 158-Dixon	SB 258-Munzlinger
SB 163-Romine	SB 259-Munzlinger
SB 169-Dixon, with SCS	SB 260-Munzlinger
SB 171-Dixon and Sifton, with SCS	SB 261-Munzlinger
SB 176-Dixon	SB 262-Munzlinger
SB 177-Dixon, with SCS	SB 263-Riddle
SB 178-Dixon	SB 267-Schatz, with SCS
SB 180-Nasheed, with SCS	SB 271-Wasson and Richard, with SCS
SB 183-Hoskins, with SCS	SB 280-Hoskins, with SCS
SB 184-Emery, with SS (pending)	SB 284-Hegeman, with SCS
SB 185-Onder, et al, with SCS	SBs 285 & 17-Koenig, with SCS
SB 188-Munzlinger, with SCS	SB 286-Rizzo
SB 189-Kehoe, with SCS	SB 290-Schatz, with SCS
SB 190-Emery, with SCS & SS#2 for SCS (pending)	SB 295-Schaaf, with SCS
	SB 298-Curls

SB 303-Wieland, with SCS	SB 391-Munzlinger
SB 311-Wasson, with SCS	SB 392-Holsman
SB 313-Koenig, with SCS	SB 395-Hoskins
SBs 314 & 340-Schatz, et al, with SCS	SB 406-Wasson and Sater
SB 316-Rowden, with SCS	SB 409-Koenig
SB 325-Kraus	SB 410-Schatz
SBs 327, 238 & 360-Romine, with SCS	SB 413-Munzlinger
SB 328-Romine, with SCS	SB 418-Hegeman, with SCS
SB 330-Munzlinger	SB 422-Cunningham, with SCS
SB 331-Hegeman	SB 426-Wasson, with SCS
SB 333-Schaaf, with SCS	SB 427-Wasson
SB 336-Wieland	SB 430-Cunningham, with SCS
SB 348-Wasson	SB 433-Sater, with SCS
SB 349-Wasson	SB 434-Sater
SB 358-Wieland	SB 442-Hegeman
SB 362-Hummel	SB 445-Rowden
SB 368-Rowden	SB 448-Emery
SB 371-Schaaf	SB 468-Hegeman
SB 373-Curls	SB 475-Schatz
SB 376-Hoskins	SB 485-Hoskins
SB 378-Wallingford	SB 490-Schupp
SB 379-Schatz	SB 526-Brown
SB 381-Riddle	SJR 9-Romine, with SCS
SB 383-Eigel and Wieland	SJR 11-Hegeman, with SCS
SB 384-Rowden, with SCS	SJR 12-Eigel
SB 389-Sater, with SCS	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)	HB 251-Taylor, with SCS, SS for SCS, SA 2
HCS for HB 130, with SCS, SS for SCS &	& SA 3 to SA 2 (pending) (Onder)
SA 6 (pending) (Onder)	HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/15

SB 399-Romine, with SCS

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

SCR 9-Holsman

SCR 21-Wallingford

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-SEVENTH DAY—MONDAY, APRIL 3, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Conduct yourselves wisely toward outsiders, making the most of the time. Let your speech always be gracious, seasoned with salt, so that you may know how you ought to answer everyone.” (Colossians 4: 5-6)

Ever living God You have called us to pray, to give thanks for those with whom we work and those who work for us. We are mindful that we are to use our words and actions to produce good results. And we ask that You teach us to treasure what is precious in Your sight and to love what is worth loving. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Kehoe offered Senate Resolution No. 592, regarding the Missouri State Museum, which was

adopted.

Senator Schupp offered Senate Resolution No. 593, regarding Gordon William Gosh, Warson Woods, which was adopted.

Senator Dixon offered Senate Resolution No. 594, regarding Jaggar Deeds, Republic, which was adopted.

Senator Dixon offered Senate Resolution No. 595, regarding Kimberleigh Eng, which was adopted.

Senator Libla offered Senate Resolution No. 596, regarding Vanissia Lemons, Bloomfield, which was adopted.

Senator Libla offered Senate Resolution No. 597, regarding Recycling Grace Women's Center, Incorporated, Poplar Bluff, which was adopted.

Senator Sater offered Senate Resolution No. 598, regarding the Eighty-fifth Birthday of Dorothy Heisner, Mount Vernon, which was adopted.

Senator Riddle offered Senate Resolution No. 599, regarding the Sixtieth Anniversary of Glenn and Jane Griffith, which was adopted.

Senator Libla offered Senate Resolution No. 600, regarding Hamiz Mirza, Poplar Bluff, which was adopted.

Senator Romine offered Senate Resolution No. 601, regarding Gene Smith, Irondale, which was adopted.

Senator Nasheed offered Senate Resolution No. 602, regarding the death of Charles Lawrence "BeBe" Shelton, Jr., which was adopted.

Senator Schupp offered Senate Resolution No. 603, regarding Sangama, Saint Louis Kannada Sangha organization, which was adopted.

Senator Nasheed offered Senate Resolution No. 604, regarding the death of Ina M. Boon, St. Louis, which was adopted.

Senator Dixon offered Senate Resolution No. 605, regarding Dr. Janell Bagwell, which was adopted.

Senator Kehoe offered Senate Resolution No. 606, regarding Delaney White, which was adopted.

REFERRALS

President Pro Tem Richard referred **HB 93**, with **SCS**; **HCS** for **HB 66**, with **SCS**; and **HB 655** to the Committee on Fiscal Oversight.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 697—Transportation, Infrastructure and Public Safety.

HB 843—Local Government and Elections.

HB 964—Transportation, Infrastructure and Public Safety.

HCS for **HB 174**—Seniors, Families and Children.

HB 104—General Laws.

SENATE BILLS FOR PERFECTION

Senator Schatz moved that **SB 240**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 240**, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 240**

An Act to amend chapter 324, RSMo, by adding thereto nine new sections relating to the statewide licensure of electrical contractors, with penalty provisions.

Was taken up.

Senator Schatz moved that **SCS** for **SB 240** be adopted.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 240, Page 3, Section 324.915, Line 4, by striking “or”; and further amend line 5, by inserting after “386.020” the following: “, **a provider of cable television service, as defined in section 386.020, or a telecommunications company as defined in section 386.020**”; and further amend line 9, by striking “or”; and further amend line 10, by inserting after “386.020,” the following: “**or a provider of cable television service as defined in section 386.020,**”; and further amend line 11, by inserting after “utility” the following: “, **the cable television service provider, or telecommunications company**.”

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Brown offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 240, Page 6, Section 324.930, Lines 7-10, by striking all of said lines and inserting in lieu thereof the following: “**administration of sections 324.900 to 324.945. The provisions of section 33.080 to the contrary notwithstanding, moneys in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation from the fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the fund for the preceding fiscal year. The state treasurer shall invest moneys in the**”.

Senator Brown moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SCS** for **SB 240**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SCS** for **SB 240**, as amended, was declared perfected and ordered printed.

Senator Sater moved that **SB 434** be taken up for perfection, which motion prevailed.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 434, Page 1, Section 160.530, Line 6, by inserting after the word “year” the following: “**ending with fiscal year 2023**”.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Sater, **SB 434**, as amended, was declared perfected and ordered printed.

Senator Kraus moved that **SB 84**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 84**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 84

An Act to repeal sections 542.400, 542.402, 542.406, 542.412, 542.414, 542.416, 542.418, and 542.420, RSMo, and to enact in lieu thereof nine new sections relating to the authority to engage in certain investigative practices, with penalty provisions.

Was taken up.

Senator Kraus moved that **SCS** for **SB 84** be adopted, which motion prevailed.

On motion of Senator Kraus, **SCS** for **SB 84** was declared perfected and ordered printed.

Senator Wallingford moved that **SB 41** be taken up for perfection, which motion prevailed.

Senator Wallingford offered **SS** for **SB 41**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 41

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to the preemption of political subdivision authority regarding abortion, with an emergency clause.

Senator Wallingford moved that **SS** for **SB 41** be adopted.

Senator Dixon assumed the Chair.

President Parson assumed the Chair.

Senator Rowden assumed the Chair.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 41, Page 4, Section 188.125, Line 24 of said page, by inserting after all of said line the following:

“11. Nothing in this section shall be construed to provide any defense for the provision of medically inaccurate or materially false information or the provision of improper medical procedures to a pregnant woman by an alternatives to abortion agency or its officers, agents, employees, or volunteers.”.

Senator Schupp moved that the above amendment be adopted.

Senator Schupp offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 41, Page 1, Line 5 of said page, by striking the word “materially”.

Senator Schupp moved that the above amendment be adopted.

At the request of Senator Wallingford, **SB 41**, with **SS**, **SA 1** and **SA 1** to **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 469**, entitled:

An Act to repeal sections 161.094 and 161.095, RSMo, and to enact in lieu thereof three new sections relating to high school equivalency degree testing.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 758**, entitled:

An Act to repeal sections 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, and to enact in lieu thereof nine new sections relating to higher education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 151**, entitled:

An Act to repeal sections 302.065 and 302.183, RSMo, and to enact in lieu thereof two new sections relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

Emergency Clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 956**, entitled:

An Act to authorize the conveyance of certain state properties to the city of Independence.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 1009**, entitled:

An Act to repeal section 650.330, RSMo, and to enact in lieu thereof one new section relating to the designation of a state 911 coordinator, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 915**, entitled:

An Act to amend chapter 9, RSMo, by adding thereto one new section relating to post traumatic stress awareness day in Missouri.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 831**, entitled:

An Act to repeal section 86.207, RSMo, and to enact in lieu thereof one new section relating to the retirement of police officers, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 90** and **68**, entitled:

An Act to amend chapter 195, RSMo, by adding thereto seven new sections relating to the narcotics control act, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 275**, entitled:

An Act to repeal sections 304.170 and 476.385, RSMo, and to enact in lieu thereof four new sections relating to transportation regulations.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS No. 2** for **HB 502**, entitled:

An Act to repeal sections 313.905, 313.915, 313.920, 313.925, 313.935, 313.940, 313.945, 313.950, and 313.955, RSMo, and to enact in lieu thereof eleven new sections relating to fantasy sports contests, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 142**, entitled:

An Act to repeal section 153.030, RSMo, and to enact in lieu thereof one new section relating to property taxation of telephone companies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 340**, entitled:

An Act to repeal section 386.890, RSMo, and to enact in lieu thereof two new sections relating to the regulation of utilities.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 780**, entitled:

An Act to amend chapter 376, RSMo, by adding thereto one new section relating to health insurance, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 573**, entitled:

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to time-limited offers to settle tort claims.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 29, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Chlora A. Lindley-Myers, 2408 Parkcrest Drive, Jefferson City, Cole County, Missouri 65101, as Director of the Department of Insurance, Financial Institutions, and Professional Registration, for a term ending at the pleasure of the Governor, and until her successor is duly appointed and qualified.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

March 31, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Patrick H. White, 2829 Stonington Place, Frontenac, Saint Louis County, Missouri 63131, as a member of the Missouri Palliative Care and Quality of Life Interdisciplinary Council, for a term ending August 28, 2019, and until his successor is duly appointed and qualified; vice, RSMo. 191.1080.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SCS for SB 84, SB 434** and **SCS for SB 240**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following report:

Mr. President: Your Committee on Local Government and Elections, to which was referred **SB 264**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden assumed the Chair.

INTRODUCTION OF GUESTS

Senator Schatz introduced to the Senate, Conner Roach, Owensville; and Conner was made an honorary page.

Senator Richard introduced to the Senate, Ron Clark, Shell Knob.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-EIGHTH DAY—TUESDAY, APRIL 4, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HB 469-Gannon
HB 758-Cookson

HCS for HB 151
HB 956-Vescovo

HB 1009-Lauer
 HCS for HB 915
 HCS for HB 831
 HCS for HBs 90 & 68
 HCS for HB 275

HCS#2 for HB 502
 HCS for HB 142
 HCS for HB 340
 HCS for HB 780
 HCS for HB 573

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal
 (In Fiscal Oversight)
 SS for SCS for SB 213-Rowden
 SB 18-Kraus (In Fiscal Oversight)

SCS for SB 84-Kraus
 SB 434-Sater
 SCS for SB 240-Schatz

SENATE BILLS FOR PERFECTION

SB 469-Schatz
 SB 517-Wasson
 SB 435-Cunningham, with SCS

SB 451-Nasheed
 SB 419-Riddle
 SB 264-Dixon

HOUSE BILLS ON THIRD READING

1. HB 34-Plocher (Dixon)
 2. HCS for HBs 1194 & 1193 (Hegeman)
 3. HB 462-Kolkmeier (Munzlinger)
 4. HB 461-Kolkmeier (Munzlinger)
 5. HCS for HB 460 (Munzlinger)
 6. HB 93-Lauer, with SCS (Wasson)
 (In Fiscal Oversight)
 7. HCS for HB 115, with SCS (Wasson)
 8. HB 655-Engler (Dixon) (In Fiscal Oversight)
 9. HB 35-Plocher (Dixon)
 10. HCS for HBs 91, 42, 131, 265 & 314
 (Brown)

11. HCS for HB 66, with SCS (Sater)
 (In Fiscal Oversight)
 12. HCS for HBs 190 & 208 (Eigel)
 13. HCS for HB 451 (Wasson)
 14. HB 51-Andrews, with SCS (Hegeman)
 15. HCS for HB 292, with SCS (Cunningham)
 16. HCS for HBs 337, 259 & 575 (Schatz)
 17. HB 336-Shull
 18. HCS for HB 427, with SCS (Kehoe)
 19. HB 85-Redmon, with SCS (Hegeman)
 20. HB 207-Fitzwater (Romine)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
 SB 6-Richard, with SCS

SB 13-Dixon
 SB 20-Brown

SB 21-Brown	SB 157-Dixon, with SCS
SB 28-Sater, with SCS (pending)	SB 158-Dixon
SB 32-Emery, with SCS	SB 163-Romine
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 169-Dixon, with SCS
SB 41-Wallingford and Emery, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 171-Dixon and Sifton, with SCS
SBs 44 & 63-Romine, with SCS	SB 176-Dixon
SB 46-Libla, with SCS	SB 177-Dixon, with SCS
SB 49-Walsh, with SCS	SB 178-Dixon
SB 61-Hegeman, with SCS	SB 180-Nasheed, with SCS
SB 67-Onder, et al	SB 183-Hoskins, with SCS
SB 68-Onder and Nasheed	SB 184-Emery, with SS (pending)
SB 76-Munzlinger	SB 185-Onder, et al, with SCS
SB 80-Wasson, with SCS	SB 188-Munzlinger, with SCS
SB 81-Dixon	SB 189-Kehoe, with SCS
SB 83-Dixon	SB 190-Emery, with SCS & SS#2 for SCS (pending)
SB 85-Kraus, with SCS	SB 196-Koenig
SB 88-Brown, with SCS	SB 199-Wasson
SB 96-Sater and Emery	SB 200-Libla
SB 97-Sater, with SCS	SB 201-Onder, with SCS
SB 99-Emery	SB 203-Sifton, with SCS
SB 102-Cunningham, with SCS	SB 204-Sifton
SB 103-Wallingford	SB 207-Sifton
SB 109-Holsman, with SCS	SB 209-Wallingford
SB 115-Schupp, with SCS	SB 210-Onder, with SCS
SB 117-Schupp, with SCS	SB 220-Riddle, with SCS
SB 122-Munzlinger, with SCS	SB 221-Riddle
SB 123-Munzlinger	SB 223-Schatz, with SCS
SB 126-Wasson	SB 227-Koenig, with SCS
SB 129-Dixon and Sifton, with SCS	SB 228-Koenig, with SS & SA 1 (pending)
SB 130-Kraus, with SCS	SB 230-Riddle
SB 133-Chappelle-Nadal	SB 232-Schatz
SB 138-Sater	SB 233-Wallingford
SB 141-Emery	SB 234-Libla, with SCS
SB 142-Emery	SB 239-Rowden, with SCS
SB 144-Wallingford	SB 242-Emery, with SCS
SB 145-Wallingford, with SCS	SB 243-Hegeman
SB 147-Romine	SB 247-Kraus, with SCS
SB 156-Munzlinger, with SCS	SB 250-Kehoe
	SB 252-Dixon, with SCS

SB 258-Munzlinger	SB 373-Curls
SB 259-Munzlinger	SB 376-Hoskins
SB 260-Munzlinger	SB 378-Wallingford
SB 261-Munzlinger	SB 379-Schatz
SB 262-Munzlinger	SB 381-Riddle
SB 263-Riddle	SB 383-Eigel and Wieland
SB 267-Schatz, with SCS	SB 384-Rowden, with SCS
SB 271-Wasson and Richard, with SCS	SB 389-Sater, with SCS
SB 280-Hoskins, with SCS	SB 391-Munzlinger
SB 284-Hegeman, with SCS	SB 392-Holsman
SBs 285 & 17-Koenig, with SCS	SB 395-Hoskins
SB 286-Rizzo	SB 406-Wasson and Sater
SB 290-Schatz, with SCS	SB 409-Koenig
SB 295-Schaaf, with SCS	SB 410-Schatz
SB 298-Curls	SB 413-Munzlinger
SB 303-Wieland, with SCS	SB 418-Hegeman, with SCS
SB 311-Wasson, with SCS	SB 422-Cunningham, with SCS
SB 313-Koenig, with SCS	SB 426-Wasson, with SCS
SBs 314 & 340-Schatz, et al, with SCS	SB 427-Wasson
SB 316-Rowden, with SCS	SB 430-Cunningham, with SCS
SB 325-Kraus	SB 433-Sater, with SCS
SBs 327, 238 & 360-Romine, with SCS	SB 442-Hegeman
SB 328-Romine, with SCS	SB 445-Rowden
SB 330-Munzlinger	SB 448-Emery
SB 331-Hegeman	SB 468-Hegeman
SB 333-Schaaf, with SCS	SB 475-Schatz
SB 336-Wieland	SB 485-Hoskins
SB 348-Wasson	SB 490-Schupp
SB 349-Wasson	SB 526-Brown
SB 358-Wieland	SJR 9-Romine, with SCS
SB 362-Hummel	SJR 11-Hegeman, with SCS
SB 368-Rowden	SJR 12-Eigel
SB 371-Schaaf	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)	HB 251-Taylor, with SCS, SS for SCS,
HCS for HB 130, with SCS, SS for SCS &	SA 2 & SA 3 to SA 2 (pending) (Onder)
SA 6 (pending) (Onder)	HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/15

SB 399-Romine, with SCS

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 9-Holsman

SCR 14-Hoskins

SCR 21-Wallingford

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Journal of the Senate

FIRST REGULAR SESSION

FORTY-EIGHTH DAY—TUESDAY, APRIL 4, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Our heart is glad in him, because we trust in his holy name. Let your steadfast love, O Lord, be upon us, even as we hope in you.” (Psalm 33:21-22)

All powerful Father, our souls hunger for Your promise that gives us hope and encourages us to move forward along the path You have for us to travel. We long for Your love and Your hope in our lives. We ask, bring gladness to our hearts as we trust in You to strengthen us to do that which is pleasing in Your sight. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 607, regarding D. Karen Digh Allen, which was adopted.

REFERRALS

President Pro Tem Richard referred **SCS** for **SB 240** to the Committee on Fiscal Oversight.

SENATE BILLS FOR PERFECTION

Senator Koenig moved that **SB 313**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 313**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 313

An Act to amend chapters 135 and 166, RSMo, by adding thereto ten new sections relating to educational scholarships, with a penalty provision.

Was taken up.

Senator Koenig moved that **SCS** for **SB 313** be adopted.

Senator Koenig offered **SS** for **SCS** for **SB 313**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 313

An Act to amend chapters 135 and 166, RSMo, by adding thereto ten new sections relating to educational scholarships, with a penalty provision.

Senator Koenig moved that **SS** for **SCS** for **SB 313** be adopted.

Senator Sifton offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 313, Page 8, Section 135.719, Line 23, by inserting after all of said line the following:

“160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, the following terms mean:

(1) “District” or “school district”, when used alone, may include seven-director, urban, and metropolitan school districts;

(2) “Elementary school”, a public school giving instruction in a grade or grades not higher than the eighth grade;

(3) “Family literacy programs”, services of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in families that include:

(a) Interactive literacy activities between parents and their children;

(b) Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;

(c) Parent literacy training that leads to high school completion and economic self sufficiency; and

(d) An age-appropriate education to prepare children of all ages for success in school;

(4) “Graduation rate”, the [quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year] **graduation rate determined by the annual performance report required by the Missouri school improvement program**;

(5) “High school”, a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;

(6) “Metropolitan school district”, any school district the boundaries of which are coterminous with the limits of any city which is not within a county;

(7) “Public school” includes all elementary and high schools operated at public expense;

(8) “School board”, the board of education having general control of the property and affairs of any school district;

(9) “School term”, a minimum of one hundred seventy-four school days, as that term is defined in section 160.041, for schools with a five-day school week or a minimum of one hundred forty-two school days, as that term is defined in section 160.041, for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031 during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district. A school term may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children. A school term for students participating in a school flex program as established in section 160.539 may consist of a combination of actual pupil attendance and attendance at college or technical career education or approved employment aligned with the student’s career academic plan for a total of one thousand forty-four hours;

(10) “Secretary”, the secretary of the board of a school district;

(11) “Seven-director district”, any school district which has seven directors and includes urban districts regardless of the number of directors an urban district may have unless otherwise provided by law;

(12) “Taxpayer”, any individual who has paid taxes to the state or any subdivision thereof within the immediately preceding twelve-month period or the spouse of such individual;

(13) “Town”, any town or village, whether or not incorporated, the plat of which has been filed in the office of the recorder of deeds of the county in which it is situated;

(14) “Urban school district”, any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other than a city which is not within a county.

160.400. 1. A charter school is an independent public school.

2. Except as further provided in subsection 4 of this section, charter schools may be operated only:

(1) In a metropolitan school district;

(2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;

(3) In a school district that has been classified as unaccredited by the state board of education;

(4) In a school district that has been classified as provisionally accredited by the state board of education [and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-13 accreditation year under the following conditions:

(a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and

(b) The sponsor is limited to the local school board or a sponsor who has met the standards of accountability and performance as determined by the department based on sections 160.400 to 160.425 and section 167.349 and properly promulgated rules of the department]; [or]

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; provided that no board with a current year enrollment of one thousand five hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment to enroll in charter schools sponsored by the local board under the authority of this subdivision, except that this restriction shall not apply to any school district that subsequently becomes eligible under subdivision (3) or (4) of this subsection or to any district accredited without provisions that sponsors charter schools prior to having a current year student enrollment of one thousand five hundred fifty students or greater.

3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:

(1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the special administrative board of a metropolitan school district during any time in which powers granted to the district's board of education are vested in a special administrative board, or if the state board of education appoints a special administrative board to retain the authority granted to the board of education of an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, the special administrative board of such school district;

(2) A public four-year college or university with an approved teacher education program that meets regional or national standards of accreditation;

(3) A community college, the service area of which encompasses some portion of the district;

(4) Any private four-year college or university with an enrollment of at least one thousand students, with its primary campus in Missouri, and with an approved teacher preparation program;

(5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, and accredited by the Higher Learning Commission, with its primary campus in Missouri;

(6) The Missouri charter public school commission created in section 160.425.

4. [Changes in a school district's accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:

(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation;

(2) As a district transitions from provisionally accredited to full accreditation, the district shall continue to fall under the requirements for a provisionally accredited district until it achieves three consecutive full school years of full accreditation;

(3)] (1) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to the local school board as a sponsor.

(2) A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section, irrespective of the accreditation classification of the district in which it is located. A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the charter school is operated.

5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school", which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in the city.

6. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

7. The charter school shall be organized as a Missouri nonprofit corporation incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall select the method for election of officers pursuant to section 355.326 based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030.

9. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a

charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

11. The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of elementary and secondary education shall remit the retained funds for each charter school to the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it sponsors, including appropriate demonstration of the following:

(1) Expends no less than ninety percent of its charter school sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools;

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences based on the annual performance report, and other material terms;

(4) Conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law; and

(5) Designs and implements a transparent and rigorous process that uses comprehensive data to make merit-based renewal decisions.

12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual reports to the joint committee on education demonstrating they are in compliance with subsection 17 of this section.

13. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without ensuring that a criminal background check and family care safety registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and family care safety registry check are conducted for each member of the governing

board of the charter school.

15. No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

16. A sponsor shall develop the policies and procedures for:

(1) The review of a charter school proposal including an application that provides sufficient information for rigorous evaluation of the proposed charter and provides clear documentation that the education program and academic program are aligned with the state standards and grade-level expectations, and provides clear documentation of effective governance and management structures, and a sustainable operational plan;

(2) The granting of a charter;

(3) The performance contract that the sponsor will use to evaluate the performance of charter schools. Charter schools shall meet current state academic performance standards as well as other standards agreed upon by the sponsor and the charter school in the performance contract;

(4) The sponsor's intervention, renewal, and revocation policies, including the conditions under which the charter sponsor may intervene in the operation of the charter school, along with actions and consequences that may ensue, and the conditions for renewal of the charter at the end of the term, consistent with subsections 8 and 9 of section 160.405;

(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and

(6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section 160.405.

The department shall provide guidance to sponsors in developing such policies and procedures.

17. (1) A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter school sponsored by any sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board shall evaluate sponsors to determine compliance with these standards every three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter application approval; required charter agreement terms and content; sponsor performance evaluation and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any time for cause.

(2) If the department determines that a sponsor is in material noncompliance with its sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If remediation does not address the compliance issues identified by the department, the commissioner of education shall conduct a public

hearing and thereafter provide notice to the charter sponsor of corrective action that will be recommended to the state board of education. Corrective action by the department may include withholding the sponsor's funding and suspending the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is reauthorized by the state board of education under section 160.403.

(3) The charter sponsor may, within thirty days of receipt of the notice of the commissioner's recommendation, provide a written statement and other documentation to show cause as to why that action should not be taken. Final determination of corrective action shall be determined by the state board of education based upon a review of the documentation submitted to the department and the charter sponsor.

(4) If the state board removes the authority to sponsor a currently operating charter school under any provision of law, the Missouri charter public school commission shall become the sponsor of the school.

18. If a sponsor notifies a charter school of closure under subsection 8 of section 160.405, the department of elementary and secondary education shall exercise its financial withholding authority under subsection 12 of section 160.415 to assure all obligations of the charter school shall be met. The state, charter sponsor, or resident district shall not be liable for any outstanding liability or obligations of the charter school.

160.410. 1. A charter school shall enroll:

(1) All pupils resident in the district in which it operates;

(2) Nonresident pupils eligible to attend a district's school under an urban voluntary transfer program;

(3) Nonresident pupils who transfer from an unaccredited district under section 167.131, provided that the charter school is an approved charter school, as defined in section 167.131, and subject to all other provisions of section 167.131;

(4) Nonresident pupils who are residents of Missouri and have at least one parent employed by the charter school at which the nonresident pupil is seeking enrollment unless the pupil's enrollment will cause a resident student to be denied enrollment;

(5) Nonresident pupils from the same or an adjoining county who were enrolled in and attended an unaccredited school for at least one semester immediately prior to requesting the transfer and who were unable to transfer to an accredited school within their district of residence as provided in section 167.826, provided the school is an approved charter school, as defined in section 167.848, and subject to all other provisions of section 167.826;

(6) In the case of a charter school whose mission includes student drop-out prevention or recovery, any nonresident pupil from the same or an adjacent county who resides in a residential care facility, a transitional living group home, or an independent living program whose last school of enrollment is in the school district where the charter school is established, who submits a timely application; and

[(5)] (7) In the case of a workplace charter school, any student eligible to attend under subdivision (1) or (2) of this subsection whose parent is employed in the business district, who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. The configuration of a business district shall be set forth in the charter and shall not be construed to create an undue advantage for a single employer or small number of employers.

2. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission and does not discriminate based on parents' ability to pay fees or tuition except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education;

(2) A charter school may also give a preference for admission of children whose siblings attend the school [or], **for admission of children resident in the district in which it operates and** whose parents are employed at the school, or, in the case of a workplace charter school, **for admission of** a child whose parent is employed in the business district or at the business site of such school; and

(3) Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

3. A charter school shall not limit admission based on race, ethnicity, national origin, disability, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level. Charter schools may limit admission based on gender only when the school is a single-gender school. Students of a charter school who have been enrolled for a full academic year shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners. For purposes of this subsection, "full academic year" means the last Wednesday in September through the administration of the Missouri assessment program test without transferring out of the school and re-enrolling.

4. A charter school shall make available for public inspection, and provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in the district in which the school is located the following information:

(1) The school's charter;

(2) The school's most recent annual report card published according to section 160.522;

(3) The results of background checks on the charter school's board members; and

(4) If a charter school is operated by a management company, a copy of the written contract between the governing board of the charter school and the educational management organization or the charter management organization for services. The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing copies of documents under this subsection.

5. When a student attending a charter school who is a resident of the school district in which the charter school is located moves out of the boundaries of such school district, the student may complete the current semester and shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

6. If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district's territory to another district or dissolution, such that a student attending a charter school

prior to such change no longer resides in a school district in which the charter school is located, then the student may complete the current academic year at the charter school. The student shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

7. The provisions of sections 167.018 and 167.019 concerning foster children's educational rights are applicable to charter schools.

160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free and reduced price lunch, special education, or limited English proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside. The charter school shall report the average daily attendance data, free and reduced price lunch count, special education pupil count, and limited English proficiency pupil count to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers' funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) If the department overpays or underpays the amount due to the charter school, such overpayment or underpayment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year.

(4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the student is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060.

4. A charter school that has declared itself as a local educational agency shall receive from the

department of elementary and secondary education an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils. If a charter school declares itself as a local educational agency, the department of elementary and secondary education shall, upon notice of the declaration, reduce the payment made to the school district by the amount specified in this subsection and pay directly to the charter school the annual amount reduced from the school district's payment.

5. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to this section, the amount of overpayment or underpayment shall be adjusted equally in the next twelve payments by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536. During the period of dispute, the department of elementary and secondary education shall make every administrative and statutory effort to allow the continued education of children in their current public charter school setting.

6. For purposes of calculation and distribution of state school aid to charter schools under this section, a charter school's weighted average daily attendance shall include any nonresident pupil who is a resident of Missouri, who attends the charter school, and whose parent is employed at the charter school.

7. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

[7.] **8.** In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services or management services, the request for proposals shall additionally require the charter school applicant to:

(1) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;

(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination

of the contract;

(3) Disclose any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;

(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years;

(5) Ensure that the legal counsel for the charter school shall report directly to the charter school's governing board; and

(6) Provide a process to ensure that the expenditures that the education service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee.

[8.] **9.** A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

[9.] **10.** A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

[10.] **11.** (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.

[11.] **12.** A charter school may not charge tuition or impose fees that a school district is prohibited from charging or imposing, except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school, as defined in section 167.131, from an unaccredited district.

[12.] **13.** A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Except as otherwise specifically provided in sections 160.400 to 160.425, upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355. A charter school shall satisfy all its financial obligations within twelve months of notice from the sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction of all its financial obligations, a charter school shall return any remaining state and federal funds to the department of elementary and secondary education for disposition as stated in subdivision (17) of subsection 1 of section 160.405. The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school's last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

[13.] **14.** Charter schools shall not have the power to acquire property by eminent domain.

[14.] **15.** The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

160.425. 1. The “Missouri Charter Public School Commission” is hereby created with the authority to sponsor high quality charter schools throughout the state of Missouri **as specified in section 160.400.**

2. The commission shall consist of nine members appointed by the governor, by and with the advice and consent of the senate. No more than five of the members shall be of the same political party. No more than two members shall be from the same congressional district. The term of office of each member shall be four years, except those of the members first appointed, of which three shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. At the expiration of the term of each member, the governor, by and with the advice and consent of the senate, shall appoint a successor.

3. The appointees to the commission shall be selected as follows:

(1) One member selected by the governor from a slate of three recommended by the commissioner of education;

(2) One member selected by the governor from a slate of three recommended by the commissioner of higher education;

(3) One member selected by the governor from a slate of three recommended by the president pro tempore of the senate;

(4) One member selected by the governor from a slate of three recommended by the speaker of the house of representatives; and

(5) Five additional members appointed by the governor, one of whom shall be selected from a slate of three nominees recommended by the Missouri School Boards Association.

4. Members appointed to the commission shall collectively possess strong experience and expertise in governance, management and finance, school leadership, assessment, curriculum and instruction, and education law. All members of the commission shall have demonstrated understanding of and commitment to charter schooling as a strategy for strengthening public education.

5. The commission shall annually elect a chairperson and vice chairperson, who shall act as chairperson in his or her absence. The commission shall meet at the call of the chairperson. The chairperson may call meetings at such times as he or she deems advisable and shall call a meeting when requested to do so by three or more members of the commission. Members of the commission are not eligible to receive compensation.

6. The commission may approve proposed charters for its sponsorship under sections 160.400 to 160.425 and shall:

(1) Comply with all of the requirements applicable to sponsors under sections 160.400 to 160.425;

(2) Exercise sponsorship over charters approved by the commission under sections 160.400 to 160.425, including receipt of sponsorship funding under subsection 11 of section 160.400.

7. Charter schools sponsored by the commission shall comply with all of the requirements applicable to charter schools under sections 160.400 to 160.425.

8. The commission shall conduct its business in accordance with chapter 610.

9. The department of elementary and secondary education shall provide start-up funding for the commission to operate. The commission shall reimburse the department's costs from any funds it receives as sponsor under section 160.400.

10. The commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of sections 160.400 to 160.425, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law.

11. The commission may employ staff including, but not limited to, an executive director as needed to carry out its duties. The commission may establish personnel, payroll, benefit, and other such systems as needed and may provide death and disability benefits. Commission employees shall be considered state employees for the purposes of membership in the Missouri state employees' retirement system and the Missouri consolidated health care plan. Compensation paid by the commission shall constitute pay from a state department for purposes of accruing benefits under the Missouri state employees' retirement system.

12. There is hereby created in the state treasury the "Missouri Charter Public School Commission Revolving Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and moneys in the fund shall be used solely by the Missouri charter public school commission for purposes of sections 160.400 to 160.425 and section 167.349. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

161.084. When classifying the public schools of the state under section 161.092, if there is no state board of education member who is a resident of the congressional district in which such school district under consideration is located, the state board of education shall assign such school district a classification designation of unaccredited or change a district's classification designation from accredited to provisionally accredited only after notifying the governor of its intent to change the classification of the district. The governor shall make the appointment under section 161.052 within thirty days of notification.

161.087. 1. When assigning classification designations to school districts pursuant to its authority to classify the public schools of the state under section 161.092, the state board of education shall use only the following classification designations:

(1) Unaccredited;

- (2) Provisionally accredited;**
- (3) Accredited; and**
- (4) Accredited with distinction.**

2. The state board of education shall develop and implement a process to provide assistance teams to borderline districts, as defined in section 167.848, as determined by the department of elementary and secondary education and to underperforming districts, as defined in section 167.848, upon assignment of a classification designation of unaccredited or provisionally accredited or determination made by the state board of education. The composition and size of the team may vary, based on academic, demographic, and financial circumstances of the district, but in no case will the team have fewer than ten members, two of whom shall be active classroom teachers in the district, two of whom shall be principals, and one of whom shall be a parent of a student in the district. The department staff member assigned to the region in which the district is located may be included in the assistance team's activities but shall not be formally assigned to the team. The team shall provide recommendations for improvement based on the needs of the community and the district and analysis of, at a minimum, the assessment data, classroom practices, and communication processes within attendance centers, within the district, and with the larger community. Separate teams may be used to provide analysis and recommendations at the discretion of the state board. Beginning with school year 2017-18, the team shall provide its recommendations no later than June 30, 2018, for underperforming districts and borderline districts. The state board shall prioritize the assignment of teams so that the districts with the lower annual performance report scores are addressed first. The assistance team's suggestions for improvement shall be mandatory for underperforming districts but shall not be mandatory for borderline districts. If an underperforming district disagrees with any suggestion of the assistance team, the district shall propose a different method of accomplishing the goal of the assistance team's suggestion and the state board of education shall be the final arbiter of the matter.

161.238. 1. Notwithstanding any provision of chapter 536 and subdivisions (9) and (14) of section 161.092 to the contrary, the state board of education shall adopt a policy to classify individual attendance centers. Attendance centers that do not offer classes above the second grade level are exempt from classification under this subsection. The policy shall require that an attendance center's classification be based solely on a three-year average of the attendance center's annual performance report scores using the three most recent years. The state board shall assign a classification consistent with such three-year average score. The state board shall implement such policy and:

(1) Within forty-five days of the effective date of this section, for each district that is classified as unaccredited by the state board of education at that time, classify each of the unaccredited district's attendance centers separately from the district as a whole using the classification designations provided in section 161.087; and

(2) Within ninety days of the effective date of this section, for each district that is classified as provisionally accredited by the state board of education at that time, classify each of the provisionally accredited district's attendance centers separately from the district as a whole using the classification designations provided in section 161.087.

2. The classifications assigned by the state board under subsection 1 of this section shall become

effective immediately and shall remain in effect until the state board develops, adopts, and implements the system of classification described in subsection 3 of this section. At such time, the state board shall classify attendance centers based on the system of classification described in subsection 3 of this section.

3. By January 1, 2018, the state board of education shall, through administrative rule, develop a system of classification that accredits attendance centers within a district separately from the district as a whole using the classification designations provided in section 161.087. The state board of education's system shall not assign classification designations to attendance centers that do not offer classes above the second grade level. When the state board adopts its system, it shall assign a classification designation to each attendance center, except for those attendance centers that do not offer classes above the second grade level. The state board of education may assign classification numbers outside the range of numbers assigned to high schools, middle schools, junior high schools, or elementary schools as classification designations for attendance centers that are exempt from the accreditation classification system. Public separate special education schools within a special school district and within a school district are exempted from the accreditation requirements of this section and section 161.087. While not applicable for the purpose of accreditation, a special school district shall continue to report all scores on its annual performance report to the department of elementary and secondary education for all its schools. Juvenile detention centers within a special school district are also exempted from the accreditation standards of this section and section 161.087.

4. Upon adoption of the classification system described in subsection 3 of this section, the state board may change any classification it has assigned to an attendance center under subsection 1 of this section.

5. An attendance center that does not offer classes above the second grade level shall be exempt from any requirements related to statewide assessments.

6. Notwithstanding the provisions of subdivision (9) of section 161.092, the rules and regulations promulgated under this section shall be effective thirty days after publication in the code of state regulations as provided in section 536.021 and shall not be subject to the two-year delay contained in subdivision (9) of section 161.092.

7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

161.1005. 1. By July 1, 2018, the department shall employ a dyslexia therapist, licensed psychometrist, licensed speech-language pathologist, certified academic language therapist, or certified training specialist to serve as the department's dyslexia specialist. Such dyslexia specialist shall have a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders.

2. The department shall ensure that the dyslexia specialist has completed training and received

certification from a program approved by the legislative task force on dyslexia and is able to provide necessary information and support to school district teachers.

3. The dyslexia specialist shall:

- (1) Be highly trained in dyslexia and related disorders, including best practice interventions and treatment models;**
- (2) Be responsible for the implementation of professional development; and**
- (3) Serve as the primary source of information and support for districts addressing the needs of students with dyslexia and related disorders.**

4. In addition to the duties assigned under subsection 3 of this section, the dyslexia specialist shall also assist the department with developing and administering professional development programs to be made available to school districts no later than the 2018-19 school year. The programs shall focus on educating teachers regarding the indicators of dyslexia, the science surrounding teaching a student who is dyslexic, and classroom accommodations necessary for a student with dyslexia.

162.081. 1. Whenever any school district in this state fails or refuses in any school year to provide for the minimum school term required by section 163.021 or is classified unaccredited, the state board of education shall, upon a district's initial classification or reclassification as unaccredited:

- (1) Review the governance of the district to establish the conditions under which the existing school board shall continue to govern; or
- (2) Determine the date the district shall lapse and determine an alternative governing structure for the district.

2. If at the time any school district in this state shall be classified as unaccredited, the department of elementary and secondary education shall conduct at least two public hearings at a location in the unaccredited school district regarding the accreditation status of the school district. The hearings shall provide an opportunity to convene community resources that may be useful or necessary in supporting the school district as it attempts to return to accredited status, continues under revised governance, or plans for continuity of educational services and resources upon its attachment to a neighboring district. The department may request the attendance of stakeholders and district officials to review the district's plan to return to accredited status, if any; offer technical assistance; and facilitate and coordinate community resources. Such hearings shall be conducted at least twice annually for every year in which the district remains unaccredited or provisionally accredited.

3. Upon classification of a district as unaccredited, the state board of education may:

(1) Allow continued governance by the existing school district board of education under terms and conditions established by the state board of education; or

(2) Lapse the corporate organization of all or part of the unaccredited district and:

(a) Appoint a special administrative board for the operation of all or part of the district. If a special administrative board is appointed for the operation of a part of a school district, the state board of education shall determine an equitable apportionment of state and federal aid for the part of the district, and the school district shall provide local revenue in proportion to the weighted average daily

attendance of the part. The number of members of the special administrative board shall not be less than five, the majority of whom shall be residents of the district. The members of the special administrative board shall reflect the population characteristics of the district and shall collectively possess strong experience in school governance, management and finance, and leadership. **The state board of education may appoint members of the district's elected school board to the special administrative board, but members of the elected school board shall not comprise more than forty-nine percent of the special administrative board's membership.** Within fourteen days after the appointment by the state board of education, the special administrative board shall organize by the election of a president, vice president, secretary and a treasurer, with their duties and organization as enumerated in section 162.301. The special administrative board shall appoint a superintendent of schools to serve as the chief executive officer of the school district, **or a subset of schools**, and to have all powers and duties of any other general superintendent of schools in a seven-director school district. **Nothing in this section shall be construed to permit either the state board of education or a special administrative board to raise, in any way not specifically allowed by law, the tax levy of the district or any part of the district without a vote of the people.** Any special administrative board appointed under this section shall be responsible for the operation of the district **or part of the district** until such time that the district is classified by the state board of education as provisionally accredited for at least two successive academic years, after which time the state board of education may provide for a transition pursuant to section 162.083; or

(b) Determine an alternative governing structure for the district including, at a minimum:

a. A rationale for the decision to use an alternative form of governance and in the absence of the district's achievement of full accreditation, the state board of education shall review and recertify the alternative form of governance every three years;

b. A method for the residents of the district to provide public comment after a stated period of time or upon achievement of specified academic objectives;

c. Expectations for progress on academic achievement, which shall include an anticipated time line for the district to reach full accreditation; and

d. Annual reports to the general assembly and the governor on the progress towards accreditation of any district that has been declared unaccredited and is placed under an alternative form of governance, including a review of the effectiveness of the alternative governance; or

(c) Attach the territory of the lapsed district to another district or districts for school purposes; or

(d) Establish one or more school districts within the territory of the lapsed district, with a governance structure specified by the state board of education, with the option of permitting a district to remain intact for the purposes of assessing, collecting, and distributing property taxes, to be distributed equitably on a weighted average daily attendance basis, but to be divided for operational purposes, which shall take effect sixty days after the adjournment of the regular session of the general assembly next following the state board's decision unless a statute or concurrent resolution is enacted to nullify the state board's decision prior to such effective date.

4. If a district remains under continued governance by the school board under subdivision (1) of subsection 3 of this section and either has been unaccredited for three consecutive school years and failed to attain accredited status after the third school year or has been unaccredited for two consecutive school

years and the state board of education determines its academic progress is not consistent with attaining accredited status after the third school year, then the state board of education shall proceed under subdivision (2) of subsection 3 of this section in the following school year.

5. A special administrative board **or any other form of governance** appointed under this section shall retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse and may enter into contracts with accredited school districts or other education service providers in order to deliver high-quality educational programs to the residents of the district. If a student graduates while attending a school building in the district that is operated under a contract with an accredited school district as specified under this subsection, the student shall receive his or her diploma from the accredited school district. The authority of the special administrative board **or any other form of governance appointed under this section** shall expire at the end of the third full school year following its appointment, unless extended by the state board of education. If the lapsed district is reassigned, the [special administrative board] **governing board prior to lapse** shall provide an accounting of all funds, assets and liabilities of the lapsed district and transfer such funds, assets, and liabilities of the lapsed district as determined by the state board of education. Neither the special administrative board **nor any other form of governance appointed under this section** nor its members or employees shall be deemed to be the state or a state agency for any purpose, including section 105.711, et seq. The state of Missouri, its agencies and employees shall be absolutely immune from liability for any and all acts or omissions relating to or in any way involving the lapsed district, [the] **a special administrative board, any other form of governance appointed under this section, [its] or the members or employees of the lapsed district, a special administrative board, or any other form of governance appointed under this section.** Such immunities, and immunity doctrines as exist or may hereafter exist benefitting boards of education, their members and their employees, shall be available to the special administrative board, **any other form of governance appointed under this section, [its] and the members and employees of the special administrative board or any other form of governance appointed under this section.**

6. Neither the special administrative board **nor any other form of governance appointed under this section** nor any district or other entity assigned territory, assets or funds from a lapsed district shall be considered a successor entity for the purpose of employment contracts, unemployment compensation payment pursuant to section 288.110, or any other purpose.

7. If additional teachers are needed by a district as a result of increased enrollment due to the annexation of territory of a lapsed or dissolved district, such district shall grant an employment interview to any permanent teacher of the lapsed or dissolved district upon the request of such permanent teacher.

8. In the event that a school district with an enrollment in excess of five thousand pupils lapses, no school district shall have all or any part of such lapsed school district attached without the approval of the board of the receiving school district.

9. If the state board of education reasonably believes that a school district is unlikely to provide for the minimum number of school hours required in a school term required by section 163.021 because of financial difficulty, the state board of education may, prior to the start of the school term:

(1) Allow continued governance by the existing district school board under terms and conditions established by the state board of education; or

(2) Lapse the corporate organization of the district and implement one of the options available

under subdivision (2) of subsection 3 of this section.

10. The provisions of subsection 9 of this section shall not apply to any district solely on the basis of financial difficulty resulting from paying tuition and providing transportation for transfer students under sections 167.825 to 167.827.

162.1310. If the state board of education classifies any district or attendance center as unaccredited, the district shall notify the parent or guardian of any student enrolled in the unaccredited district or unaccredited attendance center of the loss of accreditation within seven business days. The district shall also notify district taxpayers of the loss of accreditation within seven business days. The district's notice shall include an explanation of which students may be eligible to transfer, the transfer process under sections 167.825 to 167.827, and any services students may be entitled to receive. The district's notice shall be written in a clear, concise, and easy-to-understand manner. The district shall post the notice in a conspicuous and accessible place in each district attendance center. The district shall also send the notice to each municipality located within the boundaries of the district.

162.1313. The school board of any district that operates an underperforming school, as defined in section 167.848, shall adopt a policy regarding the availability of home visits by school personnel. Pursuant to such policy, the school may offer the parent or guardian of a student enrolled in any such school the opportunity to have one or more annual home visits. If the school decides to offer one or more annual home visits, the school shall offer an opportunity for each visit to occur at the attendance center or at a mutually agreeable site.

163.021. 1. A school district shall receive state aid for its education program only if it:

(1) Provides for a minimum of one hundred seventy-four days and one thousand forty-four hours of actual pupil attendance in a term scheduled by the board pursuant to section 160.041 for each pupil or group of pupils, except that the board shall provide a minimum of one hundred seventy-four days and five hundred twenty-two hours of actual pupil attendance in a term for kindergarten pupils. If any school is dismissed because of inclement weather after school has been in session for three hours, that day shall count as a school day including afternoon session kindergarten students. When the aggregate hours lost in a term due to inclement weather decreases the total hours of the school term below the required minimum number of hours by more than twelve hours for all-day students or six hours for one-half-day kindergarten students, all such hours below the minimum must be made up in one-half day or full day additions to the term, except as provided in section 171.033;

(2) Maintains adequate and accurate records of attendance, personnel and finances, as required by the state board of education, which shall include the preparation of a financial statement which shall be submitted to the state board of education the same as required by the provisions of section 165.111 for districts;

(3) Levies an operating levy for school purposes of not less than one dollar and twenty-five cents after all adjustments and reductions on each one hundred dollars assessed valuation of the district;

(4) Computes average daily attendance as defined in subdivision (2) of section 163.011 as modified by section 171.031. Whenever there has existed within the district an infectious disease, contagion, epidemic, plague or similar condition whereby the school attendance is substantially reduced for an extended period

in any school year, the apportionment of school funds and all other distribution of school moneys shall be made on the basis of the school year next preceding the year in which such condition existed; **and**

(5) Uses funds derived from the operating levy for school purposes to pay tuition remission for students who attend a nonsectarian private school under section 167.828 at any time that the district is classified as unaccredited by the state board of education.

2. For the 2006-07 school year and thereafter, no school district shall receive more state aid, as calculated under subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, unless it has an operating levy for school purposes, as determined pursuant to section 163.011, of not less than two dollars and seventy-five cents after all adjustments and reductions. Any district which is required, pursuant to Article X, Section 22 of the Missouri Constitution, to reduce its operating levy below the minimum tax rate otherwise required under this subsection shall not be construed to be in violation of this subsection for making such tax rate reduction. Pursuant to Section 10(c) of Article X of the state constitution, a school district may levy the operating levy for school purposes required by this subsection less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution if such rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. Nothing in this section shall be construed to mean that a school district is guaranteed to receive an amount not less than the amount the school district received per eligible pupil for the school year 1990-91. The provisions of this subsection shall not apply to any school district located in a county of the second classification which has a nuclear power plant located in such district or to any school district located in a county of the third classification which has an electric power generation unit with a rated generating capacity of more than one hundred fifty megawatts which is owned or operated or both by a rural electric cooperative except that such school districts may levy for current school purposes and capital projects an operating levy not to exceed two dollars and seventy-five cents less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution.

3. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-94, if the state board of education determines that the district was not in compliance in the preceding school year with the requirements of section 163.172, until such time as the board determines that the district is again in compliance with the requirements of section 163.172.

4. No school district shall receive state aid, pursuant to section 163.031, if such district was not in compliance, during the preceding school year, with the requirement, established pursuant to section 160.530 to allocate revenue to the professional development committee of the district.

5. No school district shall receive more state aid, as calculated in subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, if the district did not comply in the preceding school year with the requirements of subsection 5 of section 163.031.

6. Any school district that levies an operating levy for school purposes that is less than the performance levy, as such term is defined in section 163.011, shall provide written notice to the department of elementary

and secondary education asserting that the district is providing an adequate education to the students of such district. If a school district asserts that it is not providing an adequate education to its students, such inadequacy shall be deemed to be a result of insufficient local effort. The provisions of this subsection shall not apply to any special district established under sections 162.815 to 162.940.”; and

Further amend said bill, Page 17, Section 166.720, Line 14, by inserting after all of said line the following:

“167.121. 1. If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his **or her** designee may assign the pupil to another district. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or **a parent or guardian residing in** a district that has [scored] **received an annual performance report score consistent with a state board of education classification of** either unaccredited or provisionally accredited[, or a combination thereof, on two consecutive annual performance reports] may enroll the parent’s or guardian’s child in the Missouri virtual school created in section 161.670 provided the pupil first enrolls in the school district of residence. The school district of residence shall include the pupil’s enrollment in the virtual school created in section 161.670 in determining the district’s average daily attendance. Full-time enrollment in the virtual school shall constitute one average daily attendance equivalent in the school district of residence. Average daily attendance for part-time enrollment in the virtual school shall be calculated as a percentage of the total number of virtual courses enrolled in divided by the number of courses required for full-time attendance in the school district of residence.

(2) A pupil’s residence, for purposes of this section, means residency established under section 167.020. Except for students residing in a K-8 district attending high school in a district under section 167.131, the board of the home district shall pay to the virtual school the amount required under section 161.670.

(3) Nothing in this section shall require any school district or the state to provide computers, equipment, internet or other access, supplies, materials or funding, except as provided in this section, as may be deemed necessary for a pupil to participate in the virtual school created in section 161.670.

(4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

167.127. If a school district contains a facility that serves neglected children or delinquent children residing in a court-ordered group home, an institution for neglected children, or an institution for delinquent children, the department of elementary and secondary education shall be prohibited from creating any report or publication related to the Missouri school improvement program, or any

successor program, in which data from the district’s regularly enrolled pupils is aggregated with data from the children residing in such facilities, unless the department creates an annotation to such report or publication with the data collected only from the district’s regularly enrolled pupils and an explanation of the effects of the data from the children enrolled in such facilities on the aggregate data of the district.

167.131. 1. The board of education of each district in this state that does not maintain [an accredited] **a high school** [pursuant to the authority of the state board of education to classify schools as established in section 161.092] **offering work through the twelfth grade** shall pay [the] tuition [of] **as calculated by the receiving district under subsection 2 of this section** and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein **who has completed the work of the highest grade offered in the schools of the district and** who attends an accredited **public high** school in another district of the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district’s grade level grouping which includes the school attended. The rate of tuition to be charged by the approved charter school attended and paid by the sending district is the per pupil cost of maintaining the approved charter school’s grade level grouping. For a district, the cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers’ wages, incidental purposes, debt service, maintenance and replacements. For an approved charter school, the cost of maintaining a grade level grouping shall be determined by the approved charter school but in no case shall it exceed all amounts spent by the district in which the approved charter school is located for teachers’ wages, incidental purposes, debt service, maintenance, and replacements. The term “debt service”, as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

3. For purposes of this section, “approved charter school” means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report.

167.132. 1. For purposes of this section, the following terms mean:

(1) **“Available receiving district”, an accredited district able to receive transfer students under section 167.826;**

(2) **“Average per-pupil current expenditure”, the average per-pupil current expenditure for a district as a whole as reported to the department of elementary and secondary education in its most recent school accountability report card under section 160.522;**

(3) **“Receiving approved charter school”, an approved charter school, as defined in section 167.848, receiving transfer students under section 167.826;**

(4) **“Receiving district”, a district receiving transfer students under section 167.826;**

(5) **“Sending district”, a district from which students are transferring to an available receiving**

district or an approved charter school, as allowed under section 167.826.

2. Notwithstanding any other provisions of law to the contrary, a receiving district or a receiving approved charter school may negotiate with a sending district to accept a reduced tuition rate for transfer students. The receiving district or receiving approved charter school may limit the number of transfer students accepted at the reduced tuition rate as calculated under subsection 3 of this section. If the receiving district or receiving approved charter school elects to accept tuition as calculated under subsection 3 of this section and does not limit the number of transfer students accepted at such reduced rate, such district or approved charter school shall receive students through the education authority based solely on the parent request and available seats.

3. In school year 2017-18 and subsequent years, if a sending district and a receiving district or receiving approved charter school have agreed upon a reduced tuition rate, such tuition shall be calculated as the product of:

(1) The sum of the average per-pupil current expenditures of all available receiving districts for the sending district divided by the number of all available receiving districts for the sending district; and

(2) Seventy percent.

4. The appropriate education authority, as defined in section 167.848, that is coordinating the transfers for students in the sending district shall perform the calculation in subsection 3 of this section annually.

5. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final.

6. For each of the first two full school years that a receiving district or receiving approved charter school charges a rate of tuition as calculated under subsection 3 of this section, accepts a minimum of twenty-five transfer students at such reduced rate, and does not limit the number of transfer students accepted at such reduced rate, if the aggregate scores of student growth of all the transfer students in the receiving district or receiving approved charter school meet or exceed targets established in the state accountability system, the receiving district or receiving approved charter school shall earn additional credit in academic achievement on its annual performance report. The department of elementary and secondary education shall promulgate an administrative rule to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

7. If a receiving district elects to accept tuition as calculated under subsection 3 of this section and does not limit the number of transfer students accepted at such reduced rate, the department of elementary and secondary education shall consider such action as an additional criterion when determining whether to assign the receiving district a classification of accredited with distinction.

8. If a receiving district or receiving approved charter school elects to accept tuition as calculated under subsection 3 of this section and does not limit the number of transfer students accepted at such reduced rate, ten percent of the amount calculated under subdivision (1) of subsection 3 of this section for the receiving district or receiving approved charter school shall be paid from the supplemental tuition fund created in subsection 9 of this section.

9. There is hereby created in the state treasury the “Supplemental Tuition Fund”. The fund shall consist of any moneys appropriated annually by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund and any gifts, bequests, or public or private donations to such fund. The state treasurer shall be custodian of the fund. The department of elementary and secondary education shall administer the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.685. 1. Each unaccredited district shall offer free tutoring and supplemental education services to students who are performing below grade level or identified by the district as struggling, using funds from the school district improvement fund to the extent that such funds are available. A district may implement the free tutoring services requirement by entering into a contract with a public library for online tutoring services as provided in section 170.215.

2. There is hereby created in the state treasury the “School District Improvement Fund”. The fund shall consist of any gifts, bequests, or public or private donations to such fund. Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.

3. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursement of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section. A district that receives moneys from the fund may use such moneys to cover the cost of online tutoring services provided through a contract with a public library under section 170.215.

4. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

5. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.688. 1. Any underperforming district, as defined in section 167.848, may perform any or all of the following actions including, but not limited to:

(1) Implement a new curriculum, including appropriate professional development, based on scientifically based research that offers substantial promise of improving educational achievement of low-achieving students;

(2) Retain an outside expert to advise the district or school on its progress toward regaining accreditation;

(3) Enter into a contract with an education management company or education services provider that has a demonstrated record of effectiveness operating a school or schools;

(4) For any unaccredited school, enter into a collaborative relationship and agreement with an accredited district in which teachers from the unaccredited school may exchange positions with teachers from an accredited school in an accredited district for a period of two school weeks; or

(5) Implement any other change that is suggested by the state board of education, an expert or contractor approved under this section, or an assistance team under section 161.087, in accordance with state law, that the school board has reason to believe will result in improved performance for accreditation purposes.

2. Any underperforming district that offers an attendance recovery program designed exclusively to allow students to recapture attendance hours lost due to absences shall be allowed to include such attendance recovery hours in the district's attendance rate for purposes of the Missouri school improvement program accreditation scoring. Districts may offer attendance recovery programs on Saturdays or at any time before or after the school's regularly scheduled school hours. Extended hour and day programs designed for remediation or enrichment purposes shall not fulfill the criteria of attendance recovery programs as provided in this subsection.

167.730. 1. Beginning July 1, 2018, and continuing thereafter, every public school, including every charter school, in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county shall incorporate a response-to-intervention tiered approach to reading instruction to focus resources on students who are determined by their school to need additional or changed instruction to make progress as readers. At a minimum, the reading levels of students in kindergarten through tenth grade shall be assessed at the beginning and middle of the school year, and students who score below district benchmarks shall be provided with intensive and systematic reading instruction.

2. Beginning January 1, 2018, and every January first thereafter, every public school, including every charter school, in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county shall prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is working below grade level unless the student has been determined by other means in the current school year to be working at grade level or above. The provisions of this section shall not apply to students otherwise served under an individualized education program, to students receiving services through a plan prepared under Section 504 of the Rehabilitation Act of 1973 that includes an element addressing reading below grade level, or to students determined to have limited English proficiency.

3. For any student who is required by this section to have a personalized learning plan, the student's main teacher shall consult with the student's parent or guardian during the preparation of the plan and shall consult, as appropriate, any district personnel or department of elementary and secondary education personnel with necessary expertise to develop such a plan. The school shall require the written consent of the parent or guardian to implement the plan; however, if the school is unsuccessful in contacting the parent or guardian by January fifteenth, the school may send a letter by certified mail to the student's last known address stating its intention to implement the plan by February first.

4. After implementing the personalized learning plan through the end of the student's first grade year, the school shall refer any student who still performs below grade level for assessment to determine if an individualized education program is necessary for the student. A student who is assessed as not needing an individualized education program but who is reading below grade level at the end of the first grade shall continue to be required to have a personalized learning plan until the student is reading at grade level.

5. Notwithstanding any provision of law to the contrary, any student in a metropolitan school district, in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, or in any charter school located in any such district who is not reading at second-grade level by the end of second grade may be promoted to the third grade only under one of the following circumstances:

(1) The school provides additional reading instruction during the summer and demonstrates the student is ready for third grade at the end of the summer school;

(2) The school provides a combined classroom in which the student continues with the same teacher, sometimes referred to as "looping". If the student in such a classroom is not reading at third-grade level by the end of third grade, the student shall be retained in third grade; or

(3) The student's parents or guardians have signed a notice that they prefer to have their student promoted although the student is reading below grade level. The school shall have the final determination on the issue of retention.

6. The metropolitan school district, any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, and each charter school located in them shall provide in its annual report card under section 160.522 the numbers and percentages by grade from first grade to tenth grade in each school of any students at any grade level who have been promoted who have been determined as reading below grade level, except that no reporting shall permit the identification of an individual student.

7. School districts and charter schools under this section may provide for a student promotion and retention program and a reading instruction program that are equivalent to those that are described in this section with the oversight and approval of the department of elementary and secondary education.

167.825. 1. For school year 2017-18, students who transferred from an unaccredited district to an accredited district in the same or an adjoining county under section 167.131 as it existed on July 1, 2014, shall be allowed to participate under the same terms that governed such transfers in school

years 2014-15 through 2016-17, except that section 167.132 shall apply to determine the reimbursement of their tuition.

2. For school year 2017-18, if an unaccredited district becomes classified as provisionally accredited or accredited without provisions by the state board of education, any resident student of the unaccredited district who has transferred under section 167.131 as it existed on July 1, 2014, shall be permitted to continue the student's educational program through the completion of middle school, junior high school, or high school, whichever occurs first, except that a student who attends any school serving students through high school graduation but starting at grades lower than ninth grade shall be permitted to complete high school in the school to which he or she has transferred.

3. Notwithstanding any other provision of law, any student who was participating in the school transfer program before January 1, 2017, and who attended, for at least one semester immediately prior to transferring, a school in an unaccredited district, shall have the option of transferring to a virtual school as provided in subsection 8 of section 162.1250, an approved charter school, or another public school in the student's district of residence that offers the student's grade level of enrollment, as further provided in section 167.826.

167.826. 1. Any student may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education if such student is enrolled in and has attended an unaccredited school in an unaccredited district for the full semester immediately prior to requesting the transfer.

2. Any student may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education if such student is enrolled in and has attended an unaccredited school, for the full semester immediately prior to requesting the transfer, in:

(1) An urban school district;

(2) A metropolitan school district;

(3) A district that has most or all of its land area located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants; or

(4) A district that has most or all of its land area located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants.

3. No such transfer under subsections 1 and 2 of this section shall result in a class size and assigned enrollment in a receiving school that exceeds the standards for class size and assigned enrollment as promulgated in the Missouri school improvement program's resource standards. If the student chooses to attend a magnet school, an academically selective school, or a school with a competitive entrance process within his or her district of residence that has admissions requirements, the student shall meet such admissions requirements in order to attend. The school board of each district described in subsections 1 and 2 of this section that operates an unaccredited school shall determine the capacity at each of the district's attendance centers that the state board of education has assigned a classification designation of accredited or accredited with distinction. The district's school board shall be responsible for coordinating student transfers from unaccredited schools to accredited

schools within the district. No student enrolled in and attending an attendance center that does not offer classes above the second grade level shall be eligible to transfer under this section.

4. Any student who is enrolled in and has attended an unaccredited school in an unaccredited district for the full semester immediately prior to requesting the transfer and who has first attempted but is unable to transfer to an accredited school within his or her district of residence under subsection 1 of this section due to a lack of capacity in accredited schools in the district of residence may apply for a scholarship to the appropriate education authority to transfer to:

(1) An accredited school in another district located in the same or an adjoining county;

(2) An approved charter school, as defined in section 167.848, in another district located in the same or an adjoining county; or

(3) A nonsectarian private school, as defined in section 167.848.

5. After the state board of education has assigned classification designations to all attendance centers under subsection 3 of section 161.238 and continuing thereafter, any student who is eligible to transfer under subsection 2 of this section and who has first attempted but is unable to transfer to an accredited school within his or her district of residence under subsection 2 of this section due to a lack of capacity in accredited schools in the district of residence may apply for a scholarship to the appropriate education authority to transfer to:

(1) An accredited school in another district located in the same or an adjoining county;

(2) An approved charter school, as defined in section 167.848, in another district located in the same or an adjoining county; or

(3) A nonsectarian private school, as defined in section 167.848.

6. The application to the education authority to transfer shall be made by March first before the school year in which the student intends to transfer.

7. A student who is eligible to begin kindergarten or first grade at an unaccredited school as described in subsection 1 or 2 of this section may apply to the appropriate education authority for a transfer if he or she resides in the attendance area of an unaccredited school on March first preceding the school year of first attendance. A student who does not apply by March first shall be required to enroll and attend for one semester to become eligible to transfer. If the student chooses to apply to attend a magnet school, an academically selective school, or a school with a competitive entrance process that has admissions requirements, the student shall furnish proof that he or she meets such admissions requirements. Any student who does not maintain residency in the attendance area of his or her attendance center in the district of residence shall lose eligibility to transfer. Any student who transfers but later withdraws shall lose eligibility to transfer. The transfer provisions of this subsection shall not apply to a district created under sections 162.815 to 162.840 or to any early childhood programs or early childhood special education programs.

8. No unaccredited district, provisionally accredited district, unaccredited school, or provisionally accredited school shall be eligible to receive transfer students, except that, within an unaccredited district, students may transfer from unaccredited schools to accredited schools, and a transfer student who chooses to attend a provisionally accredited school in the district of residence shall be allowed

to transfer to such school if there is an available slot.

9. If a charter school may receive nonresident transfer students under this section because it has been operating for less than three years but then loses its status as an approved charter school immediately after those three years because its three-year average score on its annual performance report is below seventy percent, any students who previously transferred to the charter school may remain enrolled in the charter school but no additional nonresident students may transfer to the charter school.

10. No attendance center with a three-year average score of seventy percent or lower on its annual performance report shall be eligible to receive any transfer students, irrespective of its state board of education classification designation, except that any student who was granted a transfer to such an attendance center prior to the effective date of this section may remain enrolled in that attendance center.

11. For a receiving district or receiving approved charter school, no acceptance of a transfer student shall require any of the following actions, unless the school board of the receiving district or the receiving approved charter school's governing board has approved the action:

(1) A class size and assigned enrollment in a receiving school that exceeds the number of students provided by its approved policy on class size under subsection 12 of this section;

(2) The hiring of additional classroom teachers; or

(3) The construction of additional classrooms.

12. Each receiving district and each receiving approved charter school shall have the right to establish and adopt, by objective means, a policy for desirable class size and student-teacher ratios. A district's policy may allow for estimated growth in the resident student population. An approved charter school may use the class size, student-teacher ratios, and growth projections for student enrollment contained in the charter school's charter application and charter when adopting a policy. Any district or approved charter school that adopts such a policy shall do so by January first annually. A receiving district or receiving approved charter school shall publish its policy and shall not be required to accept any transfer students under this section that would violate its class size or student-teacher ratio. If a student seeking to transfer is denied admission to a district or approved charter school based on a lack of space under the policy, the student or the student's parent or guardian may appeal the ruling to the state board of education if he or she believes the district's policy or approved charter school's policy is unduly restrictive to student transfers. If more than one student or parent appeals a denial of admission from the same district or approved charter school to the state board of education, the state board shall make an effort to hear such actions at the same time. If the state board of education finds that the policy is unduly restrictive to student transfers, the state board may limit the policy. The state board's decision shall be final.

13. For each student who transfers to another district or approved charter school, the student's district of residence shall pay the tuition amount for each transfer student to the receiving district or receiving approved charter school in two increments annually, once at the start of the school year and once at the start of the second semester of the school year. Each receiving district and receiving approved charter school shall adopt a policy establishing a tuition rate by February first annually.

14. If an unaccredited school becomes classified as provisionally accredited or accredited without provisions by the state board of education, any student who was assigned to such attendance center or a nonsectarian private school in the district of residence and who has transferred under this section shall be permitted to continue his or her educational program in that education option through the completion of middle school, junior high school, or high school, whichever occurs first, except that a student who attends any school serving students through high school graduation but starting at grades lower than ninth grade shall be permitted to complete high school in the school to which he or she has transferred.

15. (1) Except as provided in subdivision (2) of this subsection, if a district described in subsection 1 or 2 of this section operates an unaccredited school, the education authority for the county in which the district is located shall designate at least one accredited district in the same or an adjoining county to which the district operating the unaccredited school shall provide transportation for transfer students. If the designated district reaches full student capacity and is unable to receive additional students, the education authority shall designate at least one additional accredited district to which the district operating an unaccredited school shall provide transportation for transfer students.

(2) For the 2017-18 school year, and until such time as the governor has appointed a number of members sufficient to constitute a quorum to the education authority whose geographic coverage area includes a district operating an unaccredited school, the department of elementary and secondary education shall designate at least one accredited district in the same or an adjoining county to which a district operating an unaccredited school shall provide transportation for transfer students. If the designated district reaches full student capacity and is unable to receive additional students, the department shall designate at least one additional accredited district to which a district operating an unaccredited school shall provide transportation for transfer students.

(3) During the 2017-18 school year, for any district in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants that the state board of education classified as unaccredited effective January 1, 2014, the costs of providing transportation for transfer students to a designated accredited district in the same or an adjoining county shall be paid from the student transfer transportation fund. There is hereby created in the state treasury the “Student Transfer Transportation Fund”, which shall consist of moneys appropriated to this fund. The state treasurer shall be custodian of the fund. The commissioner of education shall administer the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and moneys in the fund shall be used solely by the department of elementary and secondary education for the purposes of this subdivision. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

16. Notwithstanding the provisions of subsection 13 of this section to the contrary, if costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount established under this section, the transfer student’s district of residence shall remain responsible to pay the excess cost to the receiving district or receiving approved charter school. If the receiving district is a component district of a special school district, the transfer

student's district of residence, including any metropolitan school district, shall contract with the special school district for the entirety of the costs to provide special education and related services, excluding transportation pursuant to this section. The special school district may contract with the transfer student's district of residence, including any metropolitan district, for the provision of transportation of a student with a disability, or the transfer student's district of residence may provide transportation on its own.

17. A special school district shall continue to provide special education and related services, with the exception of transportation under this section, to a student with a disability transferring from an unaccredited school within a component district to an accredited school within the same or a different component district within the special school district.

18. If any metropolitan school district operates an unaccredited school, it shall remain responsible for the provision of special education and related services, including transportation, to students with disabilities. A special school district in an adjoining county to a metropolitan school district may contract with the metropolitan school district for the reimbursement of special education services pursuant to sections 162.705 and 162.710 provided by the special school district for transfer students who are residents of the district operating an unaccredited school.

19. Regardless of whether transportation is identified as a related service within a student's individualized education program, a receiving district that is not part of a special school district shall not be responsible for providing transportation to a student transferring under this section. A district operating an unaccredited school may contract with a receiving district that is not part of a special school district pursuant to sections 162.705 and 162.710 for transportation of students with disabilities.

20. If a seven-director district or urban school district as described under subsection 1 or 2 of this section operates an unaccredited school, it may contract with a receiving district that is not part of a special school district in the same or an adjoining county for the reimbursement of special education and related services pursuant to sections 162.705 and 162.710 provided by the receiving district for transfer students who are residents of the district operating an unaccredited school.

167.827. 1. By August 1, 2017, and by January first annually, each district eligible to receive transfer students under section 167.826 shall report to the education authority for the county in which the district is located its number of available enrollment slots in accredited schools by grade level. Each district described in subsection 1 or 2 of section 167.826 operating an unaccredited school shall report to the education authority the number of available enrollment slots in the accredited schools of the district by August 1, 2017, and by January first annually. Each approved charter school and nonsectarian private school that is eligible to receive transfer students under section 167.826 shall report the number of available enrollment slots by August 1, 2017, and by January first annually.

2. Any education authority whose geographic area includes a district described in subsection 1 or 2 of section 167.826 operating an unaccredited school shall make information and assistance available to parents or guardians who intend to transfer their child from an unaccredited school to an accredited school in another district in the same or an adjoining county or an approved charter school in another district in the same or an adjoining county or a nonsectarian private school.

3. The parent or guardian of a student who intends to transfer his or her child from an

unaccredited school to an accredited school in another district in the same or an adjoining county or an approved charter school in another district in the same or an adjoining county shall send initial notification to the education authority for the county in which he or she resides by March first for enrollment in the subsequent school year.

4. The education authority whose geographic area includes a district that operates an unaccredited school described in subsection 1 or 2 of section 167.826 shall assign those students who are unable to transfer to an accredited school in their district of residence and seek to transfer to an accredited school in another district in the same or an adjoining county or an approved charter school in another district in the same or an adjoining county or a nonsectarian private school. When assigning transfer students to approved charter schools, an education authority shall coordinate with each approved charter school and its admissions process if capacity is insufficient to enroll all students who submit a timely application. An approved charter school shall not be required to receive any transfer students that would require it to institute a lottery procedure for determining the admission of resident students. The authority shall give first priority to students who live in the same household with any family member within the first or second degree of consanguinity or affinity who have already transferred and who apply to attend the same school. If insufficient grade-appropriate enrollment slots are available for a student to be able to transfer, that student shall receive first priority the following school year. The authority shall only disrupt student and parent choice for transfer if the available slots are requested by more students than there are slots available. The authority shall consider the following factors in assigning schools, with the student's or parent's choice as the most important factor:

- (1) The student's or parent's choice of the receiving school;
- (2) The best interests of the student; and
- (3) Distance and travel time to a receiving school.

The education authority shall not consider student academic performance, free and reduced price lunch status, or athletic ability in assigning a student to a school. When assigning transfer students to approved charter schools, an education authority shall coordinate with each approved charter school and its admissions process if capacity is insufficient to enroll all students who submit a timely application.

5. An education authority may deny a transfer to a student who in the most recent school year has been suspended from school two or more times or who has been suspended for an act of school violence under subsection 2 of section 160.261. A student whose transfer is initially precluded under this subsection may be permitted to transfer on a provisional basis as a probationary transfer student, subject to no further disruptive behavior, upon a statement from the student's current school that the student is not disruptive. A student who is denied a transfer under this subsection has the right to an in-person meeting with a representative of the authority. Each education authority shall develop administrative guidelines to provide common standards for determining disruptive behavior that shall include, but not be limited to, criteria under the safe schools act.

6. Notwithstanding any other provision of law, the test scores of transfer students attending schools in districts other than their district of residence under section 167.826 shall be counted as follows:

(1) In the first year of attendance in a district or approved charter school, a transfer student's score on a statewide assessment shall not be included when calculating the status or progress scores on the district's or charter school's annual performance report scores. The growth score shall be weighted at one hundred percent;

(2) In the second year of attendance, a transfer student's score on a statewide assessment shall be weighted at thirty percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the growth score weighted at one hundred percent;

(3) In the third year of attendance, a transfer student's score on a statewide assessment shall be weighted at seventy percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the growth score weighted at one hundred percent;

(4) In the fourth year of attendance and any subsequent years of attendance, a transfer student's score on a statewide assessment shall be weighted at one hundred percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the growth score weighted at one hundred percent.

7. When performing the requirements of this section, section 167.132, or sections 167.830 to 167.845, if an education authority whose geographic area includes a district that operates an unaccredited school as described in subsection 1 or 2 of section 167.826 is not coordinating transfers due to insufficient funding or because the governor has not yet appointed a number of members sufficient to constitute a quorum to the education authority, the department of elementary and secondary education shall contract with or collaborate with any organizations it chooses, subject to the exception described in subsection 8 of this section, in order to coordinate transfers that each education authority is required to coordinate under such sections. The department of elementary and secondary education and such organization or organizations it chooses shall fulfill all functions of the education authorities, including the duty to perform the tuition calculation as described in subsection 4 of section 167.132. Any applications for transfers and any reports of available enrollment slots that the education authorities would have received shall be submitted to the department of elementary and secondary education or such organization or organizations it chooses instead.

167.828. 1. The school board of any unaccredited district located in any city not within a county, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, or in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants that operates an unaccredited school shall provide a scholarship for any student who has enrolled in and attended an unaccredited school in the district for one semester to attend a nonsectarian private school, as defined in section 167.848, located in his or her district of residence and is assigned to such school by the education authority.

2. The amount of the scholarship to be paid shall be paid from the district's operating levy for school purposes and shall not exceed the lesser of:

(1) The nonsectarian private school's tuition rate; or

(2) Seventy percent of the unaccredited district's cost of maintaining a grade level grouping as

provided by subdivision (1) of subsection 6 of section 167.826.

3. A nonsectarian private school shall qualify to receive scholarship tuition payments under this section only if it satisfies the following conditions:

(1) Is accredited by the North Central Association Commission On Accreditation and School Improvement or demonstrates similar academic quality credentials to the department of elementary and secondary education;

(2) Administers or allows for the administration of the statewide assessments in English language arts and mathematics for transfer students;

(3) Complies with all health and safety laws or codes that apply to nonpublic schools;

(4) Holds a valid occupancy permit if required by its municipality;

(5) Certifies that it will not discriminate in admissions on the basis of race, color, religion, national origin, or disability;

(6) For all students enrolled in the school under the nonsectarian option set forth in section 167.826, complies with the following statutes and any regulations promulgated thereunder by the department of elementary and secondary education: sections 43.408, 43.540, 160.041, 160.045, 160.257, 160.261, 160.262, 160.263, 160.518 for state assessments, the cost of which shall be paid consistent with the manner in which they are paid for students in public schools, 160.522, 160.539, 160.570, 160.660, 160.775, 160.1990, 161.850, 161.102, 161.650, 162.014, 162.068, 162.069, 162.208, 162.215, 162.401, 162.670, 162.720, subdivisions (1) to (3) of section 162.821, 162.1250, 162.1125, subdivisions (1) and (2) of subsection 1 of section 163.021 for eligibility to receive local funds but compliance with these sections shall not make nonsectarian private schools eligible to receive state funding under section 163.031, 167.018, 167.019, 167.020, 167.022, 167.023, 167.031, 167.115, 167.117, 167.122, 167.123, 167.161, 167.166, 167.171, 167.181, 167.191, 167.208, 167.211, 167.227, 167.268, 167.275, 167.280, 167.621 to 167.635, 167.645, 167.700, 167.720, 167.765, 170.005, 170.011, 170.051, 170.315, 170.340, 171.021, 171.031 to 171.033, 171.053, 171.151, 171.171, 178.530, 182.815, 182.817, 191.765 to 191.777, 210.003, 210.110, 210.115, 210.145, 210.150, 210.165, 210.167, 210.760, 210.865, 211.032, 211.034, 211.181, 211.185, 211.188, 320.010, 452.375, 452.376, and 544.193. Nothing in this subdivision shall be construed to exempt the nonsectarian private school from other statutes and regulations which applied to the nonsectarian schools as of January 1, 2014;

(7) Furnishes to the department of elementary and secondary education all necessary data for the calculation of an annual performance report score, which the department shall calculate for each participating nonsectarian private school. At the option of the nonsectarian private school, such score shall be based upon only the records pertaining to students enrolled in the school through the transfer program or for all students if the school chooses to administer state testing to all students;

(8) Where applicable, contracts with a special school district to provide special education services to eligible students on the same terms as public schools, and the costs associated with the services shall be paid in the same manner;

(9) Certifies to the department of elementary and secondary education and to the unaccredited district that it shall accept the tuition amount specified in subsection 2 of this section as payment in

full for the transfer student and shall not require the parent or guardian to pay any additional amount for tuition; and

(10) Files with the department of elementary and secondary education, the appropriate education authority, and the unaccredited district a statement of intent to accept transfer students that includes the information listed in this subsection.

4. When the percentage of transfer students at a nonsectarian private school receiving transfer students under this section reaches twenty-five percent of the school's enrollment, the school shall conform to the Missouri school improvement program performance standards to continue its eligibility for the program under this section.

5. Tuition for a student who attends a nonsectarian private school shall be paid only using funds received by the district from the operating levy for school purposes.

6. The student's district of residence may provide transportation for him or her to attend a nonsectarian private school located within the district but shall not be required to do so.

7. (1) The option for any student who has enrolled in and attended an unaccredited school in an unaccredited district for one semester to attend a nonsectarian private school as provided in this section shall become effective only after the governing body of an unaccredited district, as specified in subsection 1 of this section, submits to the district's voters at a general election a proposal to authorize the governing body to use local operating funds for school purposes to pay tuition at a nonsectarian private school for students assigned to an unaccredited school in the district under sections 167.826 to 167.828 and such proposal is approved by the voters of the district as provided in this subsection. The governing body of the school district shall submit the proposal to the voters of the district at the next general election after the decision of the state board of education declaring the district unaccredited for which the deadline for submission of such ballot proposals is open. The ballot proposal presented to the local voters shall contain substantially the following language:

Shall the (school district's name) allow the use of the district's local operating funds for school purposes to pay a scholarship at nonsectarian private schools for students who are assigned to an unaccredited public school in the district and who apply to transfer to nonsectarian private schools under section 167.828, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon is in favor of the question, the option for students to transfer to a nonsectarian private school shall become effective in that district the next school year. If a majority of the votes cast on the question by the qualified voters voting thereon is opposed to the question, the option shall not become effective unless and until the proposal is resubmitted under this subsection to the qualified voters at a general election and such proposal is approved by a majority of the qualified voters voting on the proposal.

(2) Whenever the governing body of a school district specified in subsection 1 of this section that has not authorized the use of its local operating funds for school purposes as provided in this subsection receives a petition from a nonsectarian private school, signed by the school's chief operating officer, calling for an election to authorize the use of local operating funds for school purposes to pay scholarship at a private nonsectarian school under this subsection, the governing

body shall submit to the voters a proposal to authorize such use of funds at the next general election for which the deadline for submission of such ballot proposals is open. If a majority of the votes cast on the question by the qualified voters voting thereon is in favor of the proposal, the option for students to transfer to a nonsectarian private school shall become effective in that district the next school year. If a majority of the votes cast on the proposal by the qualified voters voting thereon is opposed to the proposal, the option shall not become effective unless and until the proposal is resubmitted under this subsection to the qualified voters at a general election and such proposal is approved by a majority of the qualified voters voting on the proposal.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, if any district remains classified as unaccredited by the state board of education for three consecutive years, resident students of the district shall be eligible to enroll in and attend a nonsectarian private school located in the district of residence and have a scholarship paid by the district school board under this section, irrespective of whether the district voters have approved a proposal to authorize the district's governing body to use local operating funds for school purposes to pay scholarship at a nonsectarian private school.

9. Notwithstanding the provisions of subsection 2 of this section to the contrary, where costs associated with the provision of special education and related services to a student with a disability exceed the scholarship amount established under this section, the unaccredited district shall remain responsible to pay the excess cost to the nonsectarian private school.

167.830. 1. There is hereby established the “St. Louis Area Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011.

2. If any metropolitan school district, any district located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, or any district located in an adjoining county to them operates at least one unaccredited school, the authority shall coordinate student transfers from unaccredited schools to schools in accredited districts as set forth in section 167.826 and, if applicable, to approved charter schools or nonsectarian private schools.

3. The authority shall consist of five members to be appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state. The members shall reflect the population characteristics of the districts they represent. Not more than three of the five members of the authority shall be of the same political party. Two members shall be residents of the metropolitan school district, two members shall be residents of school districts located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, and one member shall be a resident of a district located in an adjoining county to a county with a charter form of government and with more than nine hundred fifty thousand inhabitants. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1) One member shall be appointed for a term of two years;
- (2) One member shall be appointed for a term of three years;

- (3) One member shall be appointed for a term of four years;**
- (4) One member shall be appointed for a term of five years; and**
- (5) One member shall be appointed for a term of six years.**

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors have been appointed and have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term within thirty days of notification of the vacancy. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall temporarily serve as its president. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof to:

- (1) Have perpetual succession as a body politic and corporate;**
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;**
- (3) Sue and be sued and prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;**
- (4) Establish and use a corporate seal and alter the same at pleasure;**
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;**
- (6) Employ an executive director and other staff as needed, with compensation fixed by the**

authority;

(7) Coordinate student transfers located in its jurisdiction, as provided by law; and

(8) Coordinate and collaborate with local districts, approved charter schools, and local governments for the transfer of students, as provided by law.

167.833. 1. There is hereby created in the state treasury the “St. Louis Area Education Authority Fund”. The fund shall consist of any appropriations, gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the education authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursement of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of sections 167.830 and 167.833.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.836. 1. There is hereby established the “Kansas City Area Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011.

2. If any district located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants or in an adjoining county operates at least one unaccredited school, the authority shall coordinate student transfers from unaccredited schools to schools in accredited districts as set forth in section 167.826 and, if applicable, to approved charter schools or nonsectarian private schools.

3. The authority shall consist of five members appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state. Three members shall be residents of an urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county. One member shall be a resident of a school district located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants but such member shall be a resident of a school district other than an urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county. One member shall be a resident of a school district located in a county adjoining to a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants. The members shall reflect the population characteristics of the districts they

represent. Not more than three of the five members of the authority shall be of the same political party. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1) One member shall be appointed for a term of two years;
- (2) One member shall be appointed for a term of three years;
- (3) One member shall be appointed for a term of four years;
- (4) One member shall be appointed for a term of five years; and
- (5) One member shall be appointed for a term of six years.

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors have been appointed and have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term within thirty days of notification of the vacancy. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof, to:

- (1) Have perpetual succession as a body politic and corporate;
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;

(3) Sue and be sued and prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;

(4) Establish and use a corporate seal and alter the same at pleasure;

(5) Maintain an office at such place or places in the state of Missouri as it may designate;

(6) Employ an executive director and other staff as needed, with compensation fixed by the authority;

(7) Coordinate student transfers located in its jurisdiction, as provided by law; and

(8) Coordinate and collaborate with local districts, approved charter schools, and local governments for the transfer of students, as provided by law.

167.839. 1. There is hereby created in the state treasury the “Kansas City Area Education Authority Fund”. The fund shall consist of any appropriations, gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the education authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursement of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of sections 167.836 and 167.839.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.842. 1. There is hereby established the “Statewide Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011. The jurisdiction of the statewide education authority shall be all counties except for:

(1) Any city not within a county;

(2) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and adjoining counties; and

(3) Any county with a charter form of government and with more than nine hundred fifty thousand inhabitants and adjoining counties.

2. If any district located in the statewide education authority’s jurisdiction operates at least one unaccredited school, the authority shall coordinate student transfers from unaccredited schools to schools in accredited districts as set forth in section 167.826 and, if applicable, to approved charter

schools or nonsectarian private schools.

3. The authority shall consist of five members to be appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state. The members shall reflect the population characteristics of the districts they represent. Not more than three of the five members of the authority shall be of the same political party. The governor shall not appoint members to the authority until the state board of education gives notice that a district in the authority's jurisdiction has been classified as unaccredited. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1) One member shall be appointed for a term of two years;**
- (2) One member shall be appointed for a term of three years;**
- (3) One member shall be appointed for a term of four years;**
- (4) One member shall be appointed for a term of five years; and**
- (5) One member shall be appointed for a term of six years.**

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors have been appointed and have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term within thirty days of notification of the vacancy. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof, to:

- (1) Have perpetual succession as a body politic and corporate;**
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;**
- (3) Sue and be sued and prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;**
- (4) Establish and use a corporate seal and alter the same at pleasure;**
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;**
- (6) Employ an executive director and other staff as needed, with compensation fixed by the authority;**
- (7) Coordinate student transfers located in its jurisdiction, as provided by law; and**
- (8) Coordinate and collaborate with local districts, approved charter schools, and local governments for the transfer of students, as provided by law.**

167.845. 1. There is hereby created in the state treasury the “Statewide Education Authority Fund”. The fund shall consist of any appropriations, gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the education authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursement of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of sections 167.842 and 167.845.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.848. For purposes of sections 161.084, 161.087, 161.238, 162.1250, 162.1305, 162.1310, 162.1313, 167.642, 167.685, 167.688, and 167.825 to 167.848, the following terms mean:

(1) “Accredited district”, a school district that is classified as accredited or accredited with distinction by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087 and 161.092;

(2) “Accredited school”, an attendance center that is classified as accredited or accredited with distinction by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087, 161.092, and 161.238;

(3) “Approved charter school”, a charter school that has existed for less than three years or a

charter school with a three-year average score of seventy percent or higher on its annual performance report;

(4) “Attendance center”, a public school building or buildings or part of a school building that constitutes one unit for accountability purposes under the Missouri school improvement program;

(5) “Borderline district”, a school district that has a current annual performance report score between seventy-five and seventy with the last two consecutive years showing a decline in the score, with a district third-grade or eighth-grade statewide reading assessment that shows that fifty percent or more of the students are at a level less than proficient, and a transient student ratio in the top quartile of districts;

(6) “Education authority” or “authority”, an education authority established under sections 167.830 to 167.845;

(7) “Nonsectarian school”, “nonsectarian private school”, or “private nonsectarian school”, a school that is not part of the public school system of the state of Missouri, that charges tuition for the rendering of elementary and secondary educational services, and that is not disqualified from accepting public funds by any provision of the Missouri or United States Constitutions;

(8) “Provisionally accredited district”, a school district that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087 and 161.092;

(9) “Provisionally accredited school”, an attendance center that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087, 161.092, and 161.238;

(10) “Unaccredited district”, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087 and 161.092;

(11) “Unaccredited school”, an attendance center that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087, 161.092, and 161.238;

(12) “Underperforming”, a school district or an attendance center that has been classified as unaccredited or provisionally accredited pursuant to the authority of the state board of education to classify schools or has a three-year average annual performance report score consistent with a classification of provisionally accredited or unaccredited.

167.890. 1. The department of elementary and secondary education shall compile and maintain student performance data scores of all transfer students enrolled in districts other than their resident districts as provided in sections 167.825 and 167.826 and make such data available on the Missouri comprehensive data system. No personally identifiable data shall be accessible on the database.

2. The department of elementary and secondary education may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,

section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

170.215. 1. Any school district may enter into a contract with a public library to provide online tutoring services through a third-party vendor or a nonprofit organization for the district's students. Any tutoring services shall be conducted through any compatible computer to participating students who have a library card, both within and without the public library facility.

2. Online tutoring services may include, but shall not be limited to, providing participating students with a library card the following:

(1) Assistance with homework;

(2) Collaboration and study tools in math, science, social sciences, English, language arts, and computer literacy;

(3) Access to comprehensive writing assistance productivity software; and

(4) Test preparation tools.

3. Any contract may allow participating students with a library card dedicated access to assistance during specified hours of the day and specified days of the week. A contract may also allow students to submit questions to tutors or join online study groups.

4. Online tutoring services shall be designed and implemented in such a manner as to:

(1) Protect individual student privacy;

(2) Prohibit voice communication between the parties; and

(3) Prohibit face-to-face visual communication.

5. No employee of any third-party vendor or nonprofit organization with which a public library has contracted for online tutoring services shall solicit personally identifiable information from any participating student including, but not limited to, home address, telephone number, and email address.

6. Any entity that offers online tutoring services under this section shall maintain an archive of all communications between students and tutors for two years.

7. School districts may use available funds or seek grants from private foundations to cover the costs of online tutoring services.

170.320. 1. There is hereby created in the state treasury the "Parent Portal Fund". The fund shall consist of any gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to assist districts in establishing and maintaining a parent portal. School districts may establish a parent portal that shall be accessible by mobile technology for parents to have access to educational information and access to student data. Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.

2. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursements of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

3. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

4. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date and providing a minimum term of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance. In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033.

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The condition provided in this subsection must be satisfied by the local school board each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031 for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

7. No school day for schools with a five-day school week shall be longer than seven hours except for:

(1) Vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county, and any school that adopts a four-day

school week in accordance with section 171.029; and

(2) A school district that increases the length of the school day or the number of required hours by following the procedure established in subsection 8 of this section.

8. The school board of any district in this state that has been classified as unaccredited or provisionally accredited by the state board of education or that is accredited but has a three-year average annual performance report score consistent with a classification of unaccredited or provisionally accredited may increase the length of the school day upon adoption of a resolution by a majority vote to authorize such action. Such a school district may also increase the annual hours of instruction above the required number of hours in subsection 1 of this section by the adoption of a resolution by a majority vote to authorize such action.

9. (1) There is hereby created in the state treasury the “Extended Learning Time Fund”. The fund shall consist of any moneys that may be appropriated by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund, and any gifts, bequests, or public or private donations to such fund.

(2) The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of subsection 8 of this section.

(3) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(4) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

177.015. 1. Each district that owns a building that is not occupied shall, by March fifteenth annually, prepare a public document listing the status of each district-owned building that is not occupied. The document shall include the address of each building and the amount of money the district spends annually on the building including, but not limited to, a separate accounting for repairs, maintenance, utilities, and insurance. The document shall include an estimate of the fair market value of each building. The district shall post this information on its internet website and make the document available to each district taxpayer.

2. For purposes of this section, the term “occupied” means a district-owned building used for the education of children between the ages of four and twenty-one for at least three hours a day for a school term.

7. (1) In fiscal years 2018 and 2019, in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants that contains all or any portion of a school district that has been designated as unaccredited or provisionally accredited by the state board of education, up to five percent of the community children’s services fund’s yearly revenues, based on the total dollar amount needed to provide services as determined by a needs assessment, shall be devoted to a grant program that delivers services directly to schools in such districts according to the procedure in this subsection. The president of the school board shall notify the board of directors within five

business days after such designation. The board shall, in its budget process for the following fiscal year, ensure that the total amount of funds needed to provide services based on the needs assessment is allocated according to this subsection, not to exceed five percent of the fund's yearly revenues. If the total amount of funds needed to provide such services exceeds five percent of the fund's yearly revenues, the funds shall be distributed in an order based on the greatest need for each district. Any moneys distributed from the fund to a district shall be subject to an annual audit.

(2) The board shall undertake a needs assessment for any such school district within ninety days after receipt of the notice under this subsection. The needs assessment shall be used as a basis for comprehensive mental health wraparound services delivery for which the board shall contract as provided under subsection 3 of this section.

(3) The board shall appoint one of its members to a direct school service coordinating committee, which is hereby created. The board may appoint an additional one of its members to serve as an ex officio member. The board shall appoint a social worker to the committee. The school board of each affected district shall appoint two parents with a child enrolled in a public school in the district based on school district identification numbers from the department of elementary and secondary education, rotating year to year from highest number to lowest number. The school board of each affected district shall appoint a school services staff member. The superintendent of each affected district shall serve on the committee. An additional member from each affected district may be appointed to serve as an ex officio member.

(4) The direct school service coordinating committee shall provide recommendations and oversight to the program of contracted services under this subsection.

(5) If an additional district becomes unaccredited or provisionally accredited in the service area of the children's services fund, the general assembly shall review the percentage of revenue dedicated to the grant program for a possible increase.

(6) The provisions of this subsection shall terminate on June 30, 2019.

Section 1. If any provision of this act, or the application thereof to anyone or to any circumstances is held invalid, the remainder of the provisions of this act and the application of such provisions to others or other circumstances shall not be affected thereby.

Section B. Because of the importance of improving and sustaining Missouri's elementary and secondary education system and establishing standards for student transfers to school districts, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted.

Senator Sifton offered SSA 1 for SA 1:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 313, Page 8, Section

135.719, Line 23, by inserting after all of said line the following:

“160.011. As used in chapters 160, 161, 162, 163, 164, 165, 167, 168, 170, 171, 177 and 178, the following terms mean:

(1) “District” or “school district”, when used alone, may include seven-director, urban, and metropolitan school districts;

(2) “Elementary school”, a public school giving instruction in a grade or grades not higher than the eighth grade;

(3) “Family literacy programs”, services of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in families that include:

(a) Interactive literacy activities between parents and their children;

(b) Training of parents regarding how to be the primary teacher of their children and full partners in the education of their children;

(c) Parent literacy training that leads to high school completion and economic self sufficiency; and

(d) An age-appropriate education to prepare children of all ages for success in school;

(4) “Graduation rate”, the [quotient of the number of graduates in the current year as of June thirtieth divided by the sum of the number of graduates in the current year as of June thirtieth plus the number of twelfth graders who dropped out in the current year plus the number of eleventh graders who dropped out in the preceding year plus the number of tenth graders who dropped out in the second preceding year plus the number of ninth graders who dropped out in the third preceding year] **graduation rate determined by the annual performance report required by the Missouri school improvement program**;

(5) “High school”, a public school giving instruction in a grade or grades not lower than the ninth nor higher than the twelfth grade;

(6) “Metropolitan school district”, any school district the boundaries of which are coterminous with the limits of any city which is not within a county;

(7) “Public school” includes all elementary and high schools operated at public expense;

(8) “School board”, the board of education having general control of the property and affairs of any school district;

(9) “School term”, a minimum of one hundred seventy-four school days, as that term is defined in section 160.041, for schools with a five-day school week or a minimum of one hundred forty-two school days, as that term is defined in section 160.041, for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance as scheduled by the board pursuant to section 171.031 during a twelve-month period in which the academic instruction of pupils is actually and regularly carried on for a group of students in the public schools of any school district. A school term may be within a school year or may consist of parts of two consecutive school years, but does not include summer school. A district may choose to operate two or more terms for different groups of children. A school term for students participating in a school flex program as established in section 160.539 may consist of a combination of actual pupil attendance and attendance at college or technical career education or approved employment

aligned with the student's career academic plan for a total of one thousand forty-four hours;

(10) "Secretary", the secretary of the board of a school district;

(11) "Seven-director district", any school district which has seven directors and includes urban districts regardless of the number of directors an urban district may have unless otherwise provided by law;

(12) "Taxpayer", any individual who has paid taxes to the state or any subdivision thereof within the immediately preceding twelve-month period or the spouse of such individual;

(13) "Town", any town or village, whether or not incorporated, the plat of which has been filed in the office of the recorder of deeds of the county in which it is situated;

(14) "Urban school district", any district which includes more than half of the population or land area of any city which has not less than seventy thousand inhabitants, other than a city which is not within a county.

160.400. 1. A charter school is an independent public school.

2. Except as further provided in subsection 4 of this section, charter schools may be operated only:

(1) In a metropolitan school district;

(2) In an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants;

(3) In a school district that has been classified as unaccredited by the state board of education;

(4) In a school district that has been classified as provisionally accredited by the state board of education [and has received scores on its annual performance report consistent with a classification of provisionally accredited or unaccredited for three consecutive school years beginning with the 2012-13 accreditation year under the following conditions:

(a) The eligibility for charter schools of any school district whose provisional accreditation is based in whole or in part on financial stress as defined in sections 161.520 to 161.529, or on financial hardship as defined by rule of the state board of education, shall be decided by a vote of the state board of education during the third consecutive school year after the designation of provisional accreditation; and

(b) The sponsor is limited to the local school board or a sponsor who has met the standards of accountability and performance as determined by the department based on sections 160.400 to 160.425 and section 167.349 and properly promulgated rules of the department]; [or]

(5) In a school district that has been accredited without provisions, sponsored only by the local school board; provided that no board with a current year enrollment of one thousand five hundred fifty students or greater shall permit more than thirty-five percent of its student enrollment to enroll in charter schools sponsored by the local board under the authority of this subdivision, except that this restriction shall not apply to any school district that subsequently becomes eligible under subdivision (3) or (4) of this subsection or to any district accredited without provisions that sponsors charter schools prior to having a current year student enrollment of one thousand five hundred fifty students or greater.

3. Except as further provided in subsection 4 of this section, the following entities are eligible to sponsor charter schools:

(1) The school board of the district in any district which is sponsoring a charter school as of August 27, 2012, as permitted under subdivision (1) or (2) of subsection 2 of this section, the special administrative board of a metropolitan school district during any time in which powers granted to the district's board of education are vested in a special administrative board, or if the state board of education appoints a special administrative board to retain the authority granted to the board of education of an urban school district containing most or all of a city with a population greater than three hundred fifty thousand inhabitants, the special administrative board of such school district;

(2) A public four-year college or university with an approved teacher education program that meets regional or national standards of accreditation;

(3) A community college, the service area of which encompasses some portion of the district;

(4) Any private four-year college or university with an enrollment of at least one thousand students, with its primary campus in Missouri, and with an approved teacher preparation program;

(5) Any two-year private vocational or technical school designated as a 501(c)(3) nonprofit organization under the Internal Revenue Code of 1986, as amended, and accredited by the Higher Learning Commission, with its primary campus in Missouri;

(6) The Missouri charter public school commission created in section 160.425.

4. [Changes in a school district's accreditation status that affect charter schools shall be addressed as follows, except for the districts described in subdivisions (1) and (2) of subsection 2 of this section:

(1) As a district transitions from unaccredited to provisionally accredited, the district shall continue to fall under the requirements for an unaccredited district until it achieves three consecutive full school years of provisional accreditation;

(2) As a district transitions from provisionally accredited to full accreditation, the district shall continue to fall under the requirements for a provisionally accredited district until it achieves three consecutive full school years of full accreditation;

(3)] (1) In any school district classified as unaccredited or provisionally accredited where a charter school is operating and is sponsored by an entity other than the local school board, when the school district becomes classified as accredited without provisions, a charter school may continue to be sponsored by the entity sponsoring it prior to the classification of accredited without provisions and shall not be limited to the local school board as a sponsor.

(2) A charter school operating in a school district identified in subdivision (1) or (2) of subsection 2 of this section may be sponsored by any of the entities identified in subsection 3 of this section, irrespective of the accreditation classification of the district in which it is located. A charter school in a district described in this subsection whose charter provides for the addition of grade levels in subsequent years may continue to add levels until the planned expansion is complete to the extent of grade levels in comparable schools of the district in which the charter school is operated.

5. The mayor of a city not within a county may request a sponsor under subdivision (2), (3), (4), (5), or (6) of subsection 3 of this section to consider sponsoring a "workplace charter school", which is defined for purposes of sections 160.400 to 160.425 as a charter school with the ability to target prospective students whose parent or parents are employed in a business district, as defined in the charter, which is located in

the city.

6. No sponsor shall receive from an applicant for a charter school any fee of any type for the consideration of a charter, nor may a sponsor condition its consideration of a charter on the promise of future payment of any kind.

7. The charter school shall be organized as a Missouri nonprofit corporation incorporated pursuant to chapter 355. The charter provided for herein shall constitute a contract between the sponsor and the charter school.

8. As a nonprofit corporation incorporated pursuant to chapter 355, the charter school shall select the method for election of officers pursuant to section 355.326 based on the class of corporation selected. Meetings of the governing board of the charter school shall be subject to the provisions of sections 610.010 to 610.030.

9. A sponsor of a charter school, its agents and employees are not liable for any acts or omissions of a charter school that it sponsors, including acts or omissions relating to the charter submitted by the charter school, the operation of the charter school and the performance of the charter school.

10. A charter school may affiliate with a four-year college or university, including a private college or university, or a community college as otherwise specified in subsection 3 of this section when its charter is granted by a sponsor other than such college, university or community college. Affiliation status recognizes a relationship between the charter school and the college or university for purposes of teacher training and staff development, curriculum and assessment development, use of physical facilities owned by or rented on behalf of the college or university, and other similar purposes. A university, college or community college may not charge or accept a fee for affiliation status.

11. The expenses associated with sponsorship of charter schools shall be defrayed by the department of elementary and secondary education retaining one and five-tenths percent of the amount of state and local funding allocated to the charter school under section 160.415, not to exceed one hundred twenty-five thousand dollars, adjusted for inflation. The department of elementary and secondary education shall remit the retained funds for each charter school to the school's sponsor, provided the sponsor remains in good standing by fulfilling its sponsorship obligations under sections 160.400 to 160.425 and 167.349 with regard to each charter school it sponsors, including appropriate demonstration of the following:

(1) Expends no less than ninety percent of its charter school sponsorship funds in support of its charter school sponsorship program, or as a direct investment in the sponsored schools;

(2) Maintains a comprehensive application process that follows fair procedures and rigorous criteria and grants charters only to those developers who demonstrate strong capacity for establishing and operating a quality charter school;

(3) Negotiates contracts with charter schools that clearly articulate the rights and responsibilities of each party regarding school autonomy, expected outcomes, measures for evaluating success or failure, performance consequences based on the annual performance report, and other material terms;

(4) Conducts contract oversight that evaluates performance, monitors compliance, informs intervention and renewal decisions, and ensures autonomy provided under applicable law; and

(5) Designs and implements a transparent and rigorous process that uses comprehensive data to make

merit-based renewal decisions.

12. Sponsors receiving funds under subsection 11 of this section shall be required to submit annual reports to the joint committee on education demonstrating they are in compliance with subsection 17 of this section.

13. No university, college or community college shall grant a charter to a nonprofit corporation if an employee of the university, college or community college is a member of the corporation's board of directors.

14. No sponsor shall grant a charter under sections 160.400 to 160.425 and 167.349 without ensuring that a criminal background check and family care safety registry check are conducted for all members of the governing board of the charter schools or the incorporators of the charter school if initial directors are not named in the articles of incorporation, nor shall a sponsor renew a charter without ensuring a criminal background check and family care safety registry check are conducted for each member of the governing board of the charter school.

15. No member of the governing board of a charter school shall hold any office or employment from the board or the charter school while serving as a member, nor shall the member have any substantial interest, as defined in section 105.450, in any entity employed by or contracting with the board. No board member shall be an employee of a company that provides substantial services to the charter school. All members of the governing board of the charter school shall be considered decision-making public servants as defined in section 105.450 for the purposes of the financial disclosure requirements contained in sections 105.483, 105.485, 105.487, and 105.489.

16. A sponsor shall develop the policies and procedures for:

(1) The review of a charter school proposal including an application that provides sufficient information for rigorous evaluation of the proposed charter and provides clear documentation that the education program and academic program are aligned with the state standards and grade-level expectations, and provides clear documentation of effective governance and management structures, and a sustainable operational plan;

(2) The granting of a charter;

(3) The performance contract that the sponsor will use to evaluate the performance of charter schools. Charter schools shall meet current state academic performance standards as well as other standards agreed upon by the sponsor and the charter school in the performance contract;

(4) The sponsor's intervention, renewal, and revocation policies, including the conditions under which the charter sponsor may intervene in the operation of the charter school, along with actions and consequences that may ensue, and the conditions for renewal of the charter at the end of the term, consistent with subsections 8 and 9 of section 160.405;

(5) Additional criteria that the sponsor will use for ongoing oversight of the charter; and

(6) Procedures to be implemented if a charter school should close, consistent with the provisions of subdivision (15) of subsection 1 of section 160.405.

The department shall provide guidance to sponsors in developing such policies and procedures.

17. (1) A sponsor shall provide timely submission to the state board of education of all data necessary to demonstrate that the sponsor is in material compliance with all requirements of sections 160.400 to 160.425 and section 167.349. The state board of education shall ensure each sponsor is in compliance with all requirements under sections 160.400 to 160.425 and 167.349 for each charter school sponsored by any sponsor. The state board shall notify each sponsor of the standards for sponsorship of charter schools, delineating both what is mandated by statute and what best practices dictate. The state board shall evaluate sponsors to determine compliance with these standards every three years. The evaluation shall include a sponsor's policies and procedures in the areas of charter application approval; required charter agreement terms and content; sponsor performance evaluation and compliance monitoring; and charter renewal, intervention, and revocation decisions. Nothing shall preclude the department from undertaking an evaluation at any time for cause.

(2) If the department determines that a sponsor is in material noncompliance with its sponsorship duties, the sponsor shall be notified and given reasonable time for remediation. If remediation does not address the compliance issues identified by the department, the commissioner of education shall conduct a public hearing and thereafter provide notice to the charter sponsor of corrective action that will be recommended to the state board of education. Corrective action by the department may include withholding the sponsor's funding and suspending the sponsor's authority to sponsor a school that it currently sponsors or to sponsor any additional school until the sponsor is reauthorized by the state board of education under section 160.403.

(3) The charter sponsor may, within thirty days of receipt of the notice of the commissioner's recommendation, provide a written statement and other documentation to show cause as to why that action should not be taken. Final determination of corrective action shall be determined by the state board of education based upon a review of the documentation submitted to the department and the charter sponsor.

(4) If the state board removes the authority to sponsor a currently operating charter school under any provision of law, the Missouri charter public school commission shall become the sponsor of the school.

18. If a sponsor notifies a charter school of closure under subsection 8 of section 160.405, the department of elementary and secondary education shall exercise its financial withholding authority under subsection 12 of section 160.415 to assure all obligations of the charter school shall be met. The state, charter sponsor, or resident district shall not be liable for any outstanding liability or obligations of the charter school.

160.410. 1. A charter school shall enroll:

- (1) All pupils resident in the district in which it operates;
- (2) Nonresident pupils eligible to attend a district's school under an urban voluntary transfer program;
- (3) Nonresident pupils who transfer from an unaccredited district under section 167.131, provided that the charter school is an approved charter school, as defined in section 167.131, and subject to all other provisions of section 167.131;
- (4) Nonresident pupils who are residents of Missouri and have at least one parent employed by the charter school at which the nonresident pupil is seeking enrollment unless the pupil's enrollment will cause a resident student to be denied enrollment;**
- (5) Nonresident pupils from the same or an adjoining county who were enrolled in and attended**

an unaccredited school for at least one semester immediately prior to requesting the transfer and who were unable to transfer to an accredited school within their district of residence as provided in section 167.826, provided the school is an approved charter school, as defined in section 167.848, and subject to all other provisions of section 167.826;

(6) In the case of a charter school whose mission includes student drop-out prevention or recovery, any nonresident pupil from the same or an adjacent county who resides in a residential care facility, a transitional living group home, or an independent living program whose last school of enrollment is in the school district where the charter school is established, who submits a timely application; and

[(5)] (7) In the case of a workplace charter school, any student eligible to attend under subdivision (1) or (2) of this subsection whose parent is employed in the business district, who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building. The configuration of a business district shall be set forth in the charter and shall not be construed to create an undue advantage for a single employer or small number of employers.

2. If capacity is insufficient to enroll all pupils who submit a timely application, the charter school shall have an admissions process that assures all applicants of an equal chance of gaining admission and does not discriminate based on parents' ability to pay fees or tuition except that:

(1) A charter school may establish a geographical area around the school whose residents will receive a preference for enrolling in the school, provided that such preferences do not result in the establishment of racially or socioeconomically isolated schools and provided such preferences conform to policies and guidelines established by the state board of education;

(2) A charter school may also give a preference for admission of children whose siblings attend the school [or], **for admission of children resident in the district in which it operates and** whose parents are employed at the school, or, in the case of a workplace charter school, **for admission of** a child whose parent is employed in the business district or at the business site of such school; and

(3) Charter alternative and special purpose schools may also give a preference for admission to high-risk students, as defined in subdivision (5) of subsection 2 of section 160.405, when the school targets these students through its proposed mission, curriculum, teaching methods, and services.

3. A charter school shall not limit admission based on race, ethnicity, national origin, disability, income level, proficiency in the English language or athletic ability, but may limit admission to pupils within a given age group or grade level. Charter schools may limit admission based on gender only when the school is a single-gender school. Students of a charter school who have been enrolled for a full academic year shall be counted in the performance of the charter school on the statewide assessments in that calendar year, unless otherwise exempted as English language learners. For purposes of this subsection, "full academic year" means the last Wednesday in September through the administration of the Missouri assessment program test without transferring out of the school and re-enrolling.

4. A charter school shall make available for public inspection, and provide upon request, to the parent, guardian, or other custodian of any school-age pupil resident in the district in which the school is located the following information:

(1) The school's charter;

(2) The school's most recent annual report card published according to section 160.522;

(3) The results of background checks on the charter school's board members; and

(4) If a charter school is operated by a management company, a copy of the written contract between the governing board of the charter school and the educational management organization or the charter management organization for services. The charter school may charge reasonable fees, not to exceed the rate specified in section 610.026 for furnishing copies of documents under this subsection.

5. When a student attending a charter school who is a resident of the school district in which the charter school is located moves out of the boundaries of such school district, the student may complete the current semester and shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

6. If a change in school district boundary lines occurs under section 162.223, 162.431, 162.441, or 162.451, or by action of the state board of education under section 162.081, including attachment of a school district's territory to another district or dissolution, such that a student attending a charter school prior to such change no longer resides in a school district in which the charter school is located, then the student may complete the current academic year at the charter school. The student shall be considered a resident student. The student's parent or legal guardian shall be responsible for the student's transportation to and from the charter school.

7. The provisions of sections 167.018 and 167.019 concerning foster children's educational rights are applicable to charter schools.

160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free and reduced price lunch, special education, or limited English proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside. The charter school shall report the average daily attendance data, free and reduced price lunch count, special education pupil count, and limited English proficiency pupil count to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil's school district when a student discontinues enrollment at a charter school.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers' funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) If the department overpays or underpays the amount due to the charter school, such overpayment

or underpayment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year.

(4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the student is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060.

4. A charter school that has declared itself as a local educational agency shall receive from the department of elementary and secondary education an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils. If a charter school declares itself as a local educational agency, the department of elementary and secondary education shall, upon notice of the declaration, reduce the payment made to the school district by the amount specified in this subsection and pay directly to the charter school the annual amount reduced from the school district's payment.

5. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to this section, the amount of overpayment or underpayment shall be adjusted equally in the next twelve payments by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536. During the period of dispute, the department of elementary and secondary education shall make every administrative and statutory effort to allow the continued education of children in their current public charter school setting.

6. For purposes of calculation and distribution of state school aid to charter schools under this section, a charter school's weighted average daily attendance shall include any nonresident pupil who is a resident of Missouri, who attends the charter school, and whose parent is employed at the charter school.

7. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between

the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

[7.] **8.** In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services or management services, the request for proposals shall additionally require the charter school applicant to:

(1) Provide evidence of the education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;

(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(3) Disclose any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;

(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years;

(5) Ensure that the legal counsel for the charter school shall report directly to the charter school's governing board; and

(6) Provide a process to ensure that the expenditures that the education service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee.

[8.] **9.** A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

[9.] **10.** A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

[10.] **11.** (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.

[11.] **12.** A charter school may not charge tuition or impose fees that a school district is prohibited from charging or imposing, except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school, as defined in

section 167.131, from an unaccredited district.

[12.] **13.** A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Except as otherwise specifically provided in sections 160.400 to 160.425, upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355. A charter school shall satisfy all its financial obligations within twelve months of notice from the sponsor of the charter school's closure under subsection 8 of section 160.405. After satisfaction of all its financial obligations, a charter school shall return any remaining state and federal funds to the department of elementary and secondary education for disposition as stated in subdivision (17) of subsection 1 of section 160.405. The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school's last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

[13.] **14.** Charter schools shall not have the power to acquire property by eminent domain.

[14.] **15.** The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

160.425. 1. The "Missouri Charter Public School Commission" is hereby created with the authority to sponsor high quality charter schools throughout the state of Missouri **as specified in section 160.400.**

2. The commission shall consist of nine members appointed by the governor, by and with the advice and consent of the senate. No more than five of the members shall be of the same political party. No more than two members shall be from the same congressional district. The term of office of each member shall be four years, except those of the members first appointed, of which three shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. At the expiration of the term of each member, the governor, by and with the advice and consent of the senate, shall appoint a successor.

3. The appointees to the commission shall be selected as follows:

(1) One member selected by the governor from a slate of three recommended by the commissioner of education;

(2) One member selected by the governor from a slate of three recommended by the commissioner of higher education;

(3) One member selected by the governor from a slate of three recommended by the president pro tempore of the senate;

(4) One member selected by the governor from a slate of three recommended by the speaker of the house of representatives; and

(5) Five additional members appointed by the governor, one of whom shall be selected from a slate of three nominees recommended by the Missouri School Boards Association.

4. Members appointed to the commission shall collectively possess strong experience and expertise in governance, management and finance, school leadership, assessment, curriculum and instruction, and education law. All members of the commission shall have demonstrated understanding of and commitment to charter schooling as a strategy for strengthening public education.

5. The commission shall annually elect a chairperson and vice chairperson, who shall act as chairperson in his or her absence. The commission shall meet at the call of the chairperson. The chairperson may call meetings at such times as he or she deems advisable and shall call a meeting when requested to do so by three or more members of the commission. Members of the commission are not eligible to receive compensation.

6. The commission may approve proposed charters for its sponsorship under sections 160.400 to 160.425 and shall:

(1) Comply with all of the requirements applicable to sponsors under sections 160.400 to 160.425;

(2) Exercise sponsorship over charters approved by the commission under sections 160.400 to 160.425, including receipt of sponsorship funding under subsection 11 of section 160.400.

7. Charter schools sponsored by the commission shall comply with all of the requirements applicable to charter schools under sections 160.400 to 160.425.

8. The commission shall conduct its business in accordance with chapter 610.

9. The department of elementary and secondary education shall provide start-up funding for the commission to operate. The commission shall reimburse the department's costs from any funds it receives as sponsor under section 160.400.

10. The commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of sections 160.400 to 160.425, subject to the terms and conditions under which they are given, provided that all such terms and conditions are permissible under law.

11. The commission may employ staff including, but not limited to, an executive director as needed to carry out its duties. The commission may establish personnel, payroll, benefit, and other such systems as needed and may provide death and disability benefits. Commission employees shall be considered state employees for the purposes of membership in the Missouri state employees' retirement system and the Missouri consolidated health care plan. Compensation paid by the commission shall constitute pay from a state department for purposes of accruing benefits under the Missouri state employees' retirement system.

12. There is hereby created in the state treasury the "Missouri Charter Public School Commission Revolving Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and moneys in the fund shall be used solely by the Missouri charter public school commission for purposes of sections 160.400 to 160.425 and section 167.349. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are

invested. Any interest and moneys earned on such investments shall be credited to the fund.

161.084. When classifying the public schools of the state under section 161.092, if there is no state board of education member who is a resident of the congressional district in which such school district under consideration is located, the state board of education shall assign such school district a classification designation of unaccredited or change a district's classification designation from accredited to provisionally accredited only after notifying the governor of its intent to change the classification of the district. The governor shall make the appointment under section 161.052 within thirty days of notification.

161.087. 1. When assigning classification designations to school districts pursuant to its authority to classify the public schools of the state under section 161.092, the state board of education shall use only the following classification designations:

- (1) Unaccredited;
- (2) Provisionally accredited;
- (3) Accredited; and
- (4) Accredited with distinction.

2. The state board of education shall develop and implement a process to provide assistance teams to borderline districts, as defined in section 167.848, as determined by the department of elementary and secondary education and to underperforming districts, as defined in section 167.848, upon assignment of a classification designation of unaccredited or provisionally accredited or determination made by the state board of education. The composition and size of the team may vary, based on academic, demographic, and financial circumstances of the district, but in no case will the team have fewer than ten members, two of whom shall be active classroom teachers in the district, two of whom shall be principals, and one of whom shall be a parent of a student in the district. The department staff member assigned to the region in which the district is located may be included in the assistance team's activities but shall not be formally assigned to the team. The team shall provide recommendations for improvement based on the needs of the community and the district and analysis of, at a minimum, the assessment data, classroom practices, and communication processes within attendance centers, within the district, and with the larger community. Separate teams may be used to provide analysis and recommendations at the discretion of the state board. Beginning with school year 2017-18, the team shall provide its recommendations no later than June 30, 2018, for underperforming districts and borderline districts. The state board shall prioritize the assignment of teams so that the districts with the lower annual performance report scores are addressed first. The assistance team's suggestions for improvement shall be mandatory for underperforming districts but shall not be mandatory for borderline districts. If an underperforming district disagrees with any suggestion of the assistance team, the district shall propose a different method of accomplishing the goal of the assistance team's suggestion and the state board of education shall be the final arbiter of the matter.

161.238. 1. Notwithstanding any provision of chapter 536 and subdivisions (9) and (14) of section 161.092 to the contrary, the state board of education shall adopt a policy to classify individual attendance centers. Attendance centers that do not offer classes above the second grade level are

exempt from classification under this subsection. The policy shall require that an attendance center's classification be based solely on a three-year average of the attendance center's annual performance report scores using the three most recent years. The state board shall assign a classification consistent with such three-year average score. The state board shall implement such policy and:

(1) Within forty-five days of the effective date of this section, for each district that is classified as unaccredited by the state board of education at that time, classify each of the unaccredited district's attendance centers separately from the district as a whole using the classification designations provided in section 161.087; and

(2) Within ninety days of the effective date of this section, for each district that is classified as provisionally accredited by the state board of education at that time, classify each of the provisionally accredited district's attendance centers separately from the district as a whole using the classification designations provided in section 161.087.

2. The classifications assigned by the state board under subsection 1 of this section shall become effective immediately and shall remain in effect until the state board develops, adopts, and implements the system of classification described in subsection 3 of this section. At such time, the state board shall classify attendance centers based on the system of classification described in subsection 3 of this section.

3. By January 1, 2018, the state board of education shall, through administrative rule, develop a system of classification that accredits attendance centers within a district separately from the district as a whole using the classification designations provided in section 161.087. The state board of education's system shall not assign classification designations to attendance centers that do not offer classes above the second grade level. When the state board adopts its system, it shall assign a classification designation to each attendance center, except for those attendance centers that do not offer classes above the second grade level. The state board of education may assign classification numbers outside the range of numbers assigned to high schools, middle schools, junior high schools, or elementary schools as classification designations for attendance centers that are exempt from the accreditation classification system. Public separate special education schools within a special school district and within a school district are exempted from the accreditation requirements of this section and section 161.087. While not applicable for the purpose of accreditation, a special school district shall continue to report all scores on its annual performance report to the department of elementary and secondary education for all its schools. Juvenile detention centers within a special school district are also exempted from the accreditation standards of this section and section 161.087.

4. Upon adoption of the classification system described in subsection 3 of this section, the state board may change any classification it has assigned to an attendance center under subsection 1 of this section.

5. An attendance center that does not offer classes above the second grade level shall be exempt from any requirements related to statewide assessments.

6. Notwithstanding the provisions of subdivision (9) of section 161.092, the rules and regulations promulgated under this section shall be effective thirty days after publication in the code of state regulations as provided in section 536.021 and shall not be subject to the two-year delay contained in subdivision (9) of section 161.092.

7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

161.950. 1. The provisions of sections 161.950 to 161.956 shall be known as the “Missouri Parent/Teacher Involvement Act”. The “Missouri Parent/Teacher Involvement Program” is hereby established for the purpose of providing grant awards to schools in which a majority of school staff, including administrators, teachers, counselors, and other support staff agree to develop and build trusting relationships between families and school staff, thereby increasing communication and accountability, with the goal of contributing to the academic and social success of pupils. The department of elementary and secondary education shall coordinate and administer the program. Priority for distribution of grant moneys under the program established under sections 161.950 to 161.956 shall be given to districts with Missouri assessment program scores in the lowest twentieth percentile.

2. Schools serving grades K-12 within the state shall operate parent/teacher involvement programs that meet the following requirements:

(1) At least fifty percent of the staff employed at the school site shall voluntarily agree to participate in either periodic visits to the homes of pupils or in community meetings that are held at times and locations convenient to parents and legal guardians;

(2) Prior to the commencement of home visits, a school shall establish a compact in which parents and legal guardians agree to participate in periodic home visits or community meetings;

(3) A teacher who participates in the program shall receive training in strategies for communicating effectively with parents and legal guardians and in conducting periodic home visits or community meetings. These strategies may include providing parents and legal guardians with guidance on how to reinforce educational objectives with their children at home;

(4) Teachers, administrators, counselors, and other support staff shall be compensated for their participation in home visits or community meetings at an hourly rate no less than the hourly rate derived from their regular base salary;

(5) All home visits and community meetings under the program shall be conducted by a pair or team that includes at least one staff member and, in the case of schools maintaining K-5, the classroom teacher of the pupil.

3. For purposes of subsection 2 of this section, “community meetings” means periodic public meetings between the teacher and the parent or legal guardian held by schools for the purpose of strengthening communication between the schools and parents and legal guardians for the improvement of pupil academic achievement.

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(2) Prior to the commencement of home visits, a school shall establish a compact in which parents and legal guardians agree to participate in periodic home visits or community meetings;

(3) A teacher who participates in the program shall receive training in strategies for communicating effectively with parents and legal guardians and in conducting periodic home visits or community meetings. These strategies may include providing parents and legal guardians with guidance on how to reinforce educational objectives with their children at home;

(4) Teachers, administrators, counselors, and other support staff shall be compensated for their participation in home visits or community meetings at an hourly rate no less than the hourly rate derived from their regular base salary;

(5) All home visits and community meetings under the program shall be conducted by a pair or team that includes at least one staff member and, in the case of schools maintaining K-5, the classroom teacher of the pupil.

3. For purposes of subsection 2 of this section, “community meetings” means periodic public meetings between the teacher and the parent or legal guardian held by schools for the purpose of strengthening communication between the schools and parents and legal guardians for the improvement of pupil academic achievement.

161.952. 1. Beginning with school year 2017-18, each school board shall adopt a policy on parental involvement in the schools of the district. The policy shall be designed to build consistent and effective communication between the parents and guardians of pupils enrolled in the district and the teachers and administrators assigned to the schools the pupils attend. The policy shall provide the opportunity for parents and guardians to be actively involved in the pupil’s education and to be informed of the following:

(1) The importance of the involvement of parents and guardians in directly affecting the success of their children’s educational efforts;

(2) How and when to assist their children or foster children in and support their children’s or foster children’s classroom learning activities;

(3) Techniques, strategies, and skills to use at home to improve their children’s academic success and to support their children’s academic efforts at school and their children’s development as future responsible adult members of society.

2. The state board of education shall adopt recommendations for the development of parental involvement policies under this section.

161.954. 1. There is hereby created in the state treasury the “Missouri Parent/Teacher Involvement Program Fund”, which shall consist of money appropriated for the program established under section 161.950. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the administration of sections 161.950 to 161.956.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

161.956. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 161.950 to 161.956 shall automatically sunset six years after the effective date of sections 161.950 to 161.956 unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 161.950 to 161.956 shall automatically sunset twelve years after the effective date of the reauthorization of sections 161.950 to 161.956; and

(3) Sections 161.950 to 161.956 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 161.950 to 161.956 is sunset.

161.1005. 1. By July 1, 2018, the department shall employ a dyslexia therapist, licensed psychometrist, licensed speech-language pathologist, certified academic language therapist, or certified training specialist to serve as the department’s dyslexia specialist. Such dyslexia specialist shall have a minimum of three years of field experience in screening, identifying, and treating dyslexia and related disorders.

2. The department shall ensure that the dyslexia specialist has completed training and received certification from a program approved by the legislative task force on dyslexia and is able to provide necessary information and support to school district teachers.

3. The dyslexia specialist shall:

(1) Be highly trained in dyslexia and related disorders, including best practice interventions and treatment models;

(2) Be responsible for the implementation of professional development; and

(3) Serve as the primary source of information and support for districts addressing the needs of students with dyslexia and related disorders.

4. In addition to the duties assigned under subsection 3 of this section, the dyslexia specialist shall also assist the department with developing and administering professional development programs to be made available to school districts no later than the 2018-19 school year. The programs shall focus on educating teachers regarding the indicators of dyslexia, the science surrounding teaching a student who is dyslexic, and classroom accommodations necessary for a student with dyslexia.

162.081. 1. Whenever any school district in this state fails or refuses in any school year to provide for the minimum school term required by section 163.021 or is classified unaccredited, the state board of education shall, upon a district's initial classification or reclassification as unaccredited:

(1) Review the governance of the district to establish the conditions under which the existing school board shall continue to govern; or

(2) Determine the date the district shall lapse and determine an alternative governing structure for the district.

2. If at the time any school district in this state shall be classified as unaccredited, the department of elementary and secondary education shall conduct at least two public hearings at a location in the unaccredited school district regarding the accreditation status of the school district. The hearings shall provide an opportunity to convene community resources that may be useful or necessary in supporting the school district as it attempts to return to accredited status, continues under revised governance, or plans for continuity of educational services and resources upon its attachment to a neighboring district. The department may request the attendance of stakeholders and district officials to review the district's plan to return to accredited status, if any; offer technical assistance; and facilitate and coordinate community resources. Such hearings shall be conducted at least twice annually for every year in which the district remains unaccredited or provisionally accredited.

3. Upon classification of a district as unaccredited, the state board of education may:

(1) Allow continued governance by the existing school district board of education under terms and conditions established by the state board of education; or

(2) Lapse the corporate organization of **all or part of** the unaccredited district and:

(a) Appoint a special administrative board for the operation of all or part of the district. **If a special administrative board is appointed for the operation of a part of a school district, the state board of education shall determine an equitable apportionment of state and federal aid for the part of the district, and the school district shall provide local revenue in proportion to the weighted average daily attendance of the part.** The number of members of the special administrative board shall not be less than five, the majority of whom shall be residents of the district. The members of the special administrative board shall reflect the population characteristics of the district and shall collectively possess strong experience in school governance, management and finance, and leadership. **The state board of education may appoint members of the district's elected school board to the special administrative board, but members of the elected school board shall not comprise more than forty-nine percent of the special administrative board's membership.** Within fourteen days after the appointment by the state board of education, the special administrative board shall organize by the election of a president, vice president, secretary and a

treasurer, with their duties and organization as enumerated in section 162.301. The special administrative board shall appoint a superintendent of schools to serve as the chief executive officer of the school district, **or a subset of schools**, and to have all powers and duties of any other general superintendent of schools in a seven-director school district. **Nothing in this section shall be construed to permit either the state board of education or a special administrative board to raise, in any way not specifically allowed by law, the tax levy of the district or any part of the district without a vote of the people.** Any special administrative board appointed under this section shall be responsible for the operation of the district **or part of the district** until such time that the district is classified by the state board of education as provisionally accredited for at least two successive academic years, after which time the state board of education may provide for a transition pursuant to section 162.083; or

(b) Determine an alternative governing structure for the district including, at a minimum:

a. A rationale for the decision to use an alternative form of governance and in the absence of the district's achievement of full accreditation, the state board of education shall review and recertify the alternative form of governance every three years;

b. A method for the residents of the district to provide public comment after a stated period of time or upon achievement of specified academic objectives;

c. Expectations for progress on academic achievement, which shall include an anticipated time line for the district to reach full accreditation; and

d. Annual reports to the general assembly and the governor on the progress towards accreditation of any district that has been declared unaccredited and is placed under an alternative form of governance, including a review of the effectiveness of the alternative governance; or

(c) Attach the territory of the lapsed district to another district or districts for school purposes; or

(d) Establish one or more school districts within the territory of the lapsed district, with a governance structure specified by the state board of education, with the option of permitting a district to remain intact for the purposes of assessing, collecting, and distributing property taxes, to be distributed equitably on a weighted average daily attendance basis, but to be divided for operational purposes, which shall take effect sixty days after the adjournment of the regular session of the general assembly next following the state board's decision unless a statute or concurrent resolution is enacted to nullify the state board's decision prior to such effective date.

4. If a district remains under continued governance by the school board under subdivision (1) of subsection 3 of this section and either has been unaccredited for three consecutive school years and failed to attain accredited status after the third school year or has been unaccredited for two consecutive school years and the state board of education determines its academic progress is not consistent with attaining accredited status after the third school year, then the state board of education shall proceed under subdivision (2) of subsection 3 of this section in the following school year.

5. A special administrative board **or any other form of governance** appointed under this section shall retain the authority granted to a board of education for the operation of the lapsed school district under the laws of the state in effect at the time of the lapse and may enter into contracts with accredited school districts or other education service providers in order to deliver high-quality educational programs to the residents of the district. If a student graduates while attending a school building in the district that is

operated under a contract with an accredited school district as specified under this subsection, the student shall receive his or her diploma from the accredited school district. The authority of the special administrative board **or any other form of governance appointed under this section** shall expire at the end of the third full school year following its appointment, unless extended by the state board of education. If the lapsed district is reassigned, the [special administrative board] **governing board prior to lapse** shall provide an accounting of all funds, assets and liabilities of the lapsed district and transfer such funds, assets, and liabilities of the lapsed district as determined by the state board of education. Neither the special administrative board **nor any other form of governance appointed under this section** nor its members or employees shall be deemed to be the state or a state agency for any purpose, including section 105.711, et seq. The state of Missouri, its agencies and employees shall be absolutely immune from liability for any and all acts or omissions relating to or in any way involving the lapsed district, [the] a special administrative board, **any other form of governance appointed under this section, [its] or the members or employees of the lapsed district, a special administrative board, or any other form of governance appointed under this section.** Such immunities, and immunity doctrines as exist or may hereafter exist benefitting boards of education, their members and their employees, shall be available to the special administrative board, **any other form of governance appointed under this section, [its] and the members and employees of the special administrative board or any other form of governance appointed under this section.**

6. Neither the special administrative board **nor any other form of governance appointed under this section** nor any district or other entity assigned territory, assets or funds from a lapsed district shall be considered a successor entity for the purpose of employment contracts, unemployment compensation payment pursuant to section 288.110, or any other purpose.

7. If additional teachers are needed by a district as a result of increased enrollment due to the annexation of territory of a lapsed or dissolved district, such district shall grant an employment interview to any permanent teacher of the lapsed or dissolved district upon the request of such permanent teacher.

8. In the event that a school district with an enrollment in excess of five thousand pupils lapses, no school district shall have all or any part of such lapsed school district attached without the approval of the board of the receiving school district.

9. If the state board of education reasonably believes that a school district is unlikely to provide for the minimum number of school hours required in a school term required by section 163.021 because of financial difficulty, the state board of education may, prior to the start of the school term:

(1) Allow continued governance by the existing district school board under terms and conditions established by the state board of education; or

(2) Lapse the corporate organization of the district and implement one of the options available under subdivision (2) of subsection 3 of this section.

10. The provisions of subsection 9 of this section shall not apply to any district solely on the basis of financial difficulty resulting from paying tuition and providing transportation for transfer students under sections 167.825 to 167.827.

162.1303. 1. For purposes of this section, “transient student” means any student who withdraws from one attendance center and enrolls in any other attendance center two or more times within two school years.

2. The department of elementary and secondary education shall annually calculate a transient student ratio for each attendance center, each charter school, and each local educational agency. The department shall annually calculate a transient student ratio for each school district based on the transient student ratios of all the attendance centers in such district. The department shall publish the transient student ratio of each district, each attendance center, each charter school, and each local educational agency on its website.

3. The department shall include, or cause to be included, in each district's school accountability report card the transient student ratio of the district and of each attendance center operated by the district.

4. The department shall include the transient student ratios of attendance centers, charter schools, and local educational agencies in their respective school accountability report cards.

5. The department shall publish the state's aggregate transient student ratio on its website.

6. A transient student ratio shall be calculated as the product of:

(1) One hundred; and

(2) The quotient of:

(a) The sum of the number of transient students and the number of students who withdrew from the district during the school year; and

(b) The sum of the number of students who enrolled in the district on or before the last Wednesday in September and the number of students who enrolled in the district after the last Wednesday of September.

7. Each school district, charter school, and local educational agency shall annually report to the department, by a date established by the department, any information and data required to comply with and perform the calculation required by the provisions of this section.

162.1305. 1. For purposes of this section, "transient student" means any student who withdraws from one attendance center and enrolls in any other attendance center two or more times within two school years.

2. In the first year of attendance in a district or charter school, a transient student's score on a statewide assessment shall not be included when calculating the status or progress scores on the district's or charter school's annual performance report scores. A transient student's growth score shall be weighted at one hundred percent.

3. In the second year of attendance, a transient student's score on a statewide assessment shall be weighted at thirty percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the transient student's growth score weighted at one hundred percent.

4. In the third year of attendance, a transient student's score on a statewide assessment shall be weighted at seventy percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the transient student's growth score weighted at one hundred percent.

5. In the fourth year of attendance and any subsequent years of attendance, a transient student's score on a statewide assessment shall be weighted at one hundred percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the transient student's growth score weighted at one hundred percent.

162.1310. If the state board of education classifies any district or attendance center as unaccredited, the district shall notify the parent or guardian of any student enrolled in the unaccredited district or unaccredited attendance center of the loss of accreditation within seven business days. The district shall also notify district taxpayers of the loss of accreditation within seven business days. The district's notice shall include an explanation of which students may be eligible to transfer, the transfer process under sections 167.825 to 167.827, and any services students may be entitled to receive. The district's notice shall be written in a clear, concise, and easy-to-understand manner. The district shall post the notice in a conspicuous and accessible place in each district attendance center. The district shall also send the notice to each municipality located within the boundaries of the district.

162.1313. The school board of any district that operates an underperforming school, as defined in section 167.848, shall adopt a policy regarding the availability of home visits by school personnel. Pursuant to such policy, the school may offer the parent or guardian of a student enrolled in any such school the opportunity to have one or more annual home visits. If the school decides to offer one or more annual home visits, the school shall offer an opportunity for each visit to occur at the attendance center or at a mutually agreeable site.

163.021. 1. A school district shall receive state aid for its education program only if it:

(1) Provides for a minimum of one hundred seventy-four days and one thousand forty-four hours of actual pupil attendance in a term scheduled by the board pursuant to section 160.041 for each pupil or group of pupils, except that the board shall provide a minimum of one hundred seventy-four days and five hundred twenty-two hours of actual pupil attendance in a term for kindergarten pupils. If any school is dismissed because of inclement weather after school has been in session for three hours, that day shall count as a school day including afternoon session kindergarten students. When the aggregate hours lost in a term due to inclement weather decreases the total hours of the school term below the required minimum number of hours by more than twelve hours for all-day students or six hours for one-half-day kindergarten students, all such hours below the minimum must be made up in one-half day or full day additions to the term, except as provided in section 171.033;

(2) Maintains adequate and accurate records of attendance, personnel and finances, as required by the state board of education, which shall include the preparation of a financial statement which shall be submitted to the state board of education the same as required by the provisions of section 165.111 for districts;

(3) Levies an operating levy for school purposes of not less than one dollar and twenty-five cents after all adjustments and reductions on each one hundred dollars assessed valuation of the district;

(4) Computes average daily attendance as defined in subdivision (2) of section 163.011 as modified by section 171.031. Whenever there has existed within the district an infectious disease, contagion, epidemic, plague or similar condition whereby the school attendance is substantially reduced for an extended period

in any school year, the apportionment of school funds and all other distribution of school moneys shall be made on the basis of the school year next preceding the year in which such condition existed; **and**

(5) Uses funds derived from the operating levy for school purposes to pay tuition remission for students who attend a nonsectarian private school under section 167.828 at any time that the district is classified as unaccredited by the state board of education.

2. For the 2006-07 school year and thereafter, no school district shall receive more state aid, as calculated under subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, unless it has an operating levy for school purposes, as determined pursuant to section 163.011, of not less than two dollars and seventy-five cents after all adjustments and reductions. Any district which is required, pursuant to Article X, Section 22 of the Missouri Constitution, to reduce its operating levy below the minimum tax rate otherwise required under this subsection shall not be construed to be in violation of this subsection for making such tax rate reduction. Pursuant to Section 10(c) of Article X of the state constitution, a school district may levy the operating levy for school purposes required by this subsection less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution if such rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year. Nothing in this section shall be construed to mean that a school district is guaranteed to receive an amount not less than the amount the school district received per eligible pupil for the school year 1990-91. The provisions of this subsection shall not apply to any school district located in a county of the second classification which has a nuclear power plant located in such district or to any school district located in a county of the third classification which has an electric power generation unit with a rated generating capacity of more than one hundred fifty megawatts which is owned or operated or both by a rural electric cooperative except that such school districts may levy for current school purposes and capital projects an operating levy not to exceed two dollars and seventy-five cents less all adjustments required pursuant to Article X, Section 22 of the Missouri Constitution.

3. No school district shall receive more state aid, as calculated in section 163.031, for its education program, exclusive of categorical add-ons, than it received per eligible pupil for the school year 1993-94, if the state board of education determines that the district was not in compliance in the preceding school year with the requirements of section 163.172, until such time as the board determines that the district is again in compliance with the requirements of section 163.172.

4. No school district shall receive state aid, pursuant to section 163.031, if such district was not in compliance, during the preceding school year, with the requirement, established pursuant to section 160.530 to allocate revenue to the professional development committee of the district.

5. No school district shall receive more state aid, as calculated in subsections 1 and 2 of section 163.031, for its education program, exclusive of categorical add-ons, than it received per weighted average daily attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts, if the district did not comply in the preceding school year with the requirements of subsection 5 of section 163.031.

6. Any school district that levies an operating levy for school purposes that is less than the performance levy, as such term is defined in section 163.011, shall provide written notice to the department of elementary

and secondary education asserting that the district is providing an adequate education to the students of such district. If a school district asserts that it is not providing an adequate education to its students, such inadequacy shall be deemed to be a result of insufficient local effort. The provisions of this subsection shall not apply to any special district established under sections 162.815 to 162.940.”; and

Further amend said bill, Page 17, Section 166.720, Line 14, by inserting after all of said line the following:

“167.121. 1. If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his **or her** designee may assign the pupil to another district. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time to time thereafter, and may be continued or rescinded. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or **a parent or guardian residing in** a district that has [scored] **received an annual performance report score consistent with a state board of education classification of** either unaccredited or provisionally accredited[, or a combination thereof, on two consecutive annual performance reports] may enroll the parent’s or guardian’s child in the Missouri virtual school created in section 161.670 provided the pupil first enrolls in the school district of residence. The school district of residence shall include the pupil’s enrollment in the virtual school created in section 161.670 in determining the district’s average daily attendance. Full-time enrollment in the virtual school shall constitute one average daily attendance equivalent in the school district of residence. Average daily attendance for part-time enrollment in the virtual school shall be calculated as a percentage of the total number of virtual courses enrolled in divided by the number of courses required for full-time attendance in the school district of residence.

(2) A pupil’s residence, for purposes of this section, means residency established under section 167.020. Except for students residing in a K-8 district attending high school in a district under section 167.131, the board of the home district shall pay to the virtual school the amount required under section 161.670.

(3) Nothing in this section shall require any school district or the state to provide computers, equipment, internet or other access, supplies, materials or funding, except as provided in this section, as may be deemed necessary for a pupil to participate in the virtual school created in section 161.670.

(4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

167.127. If a school district contains a facility that serves neglected children or delinquent children residing in a court-ordered group home, an institution for neglected children, or an institution for delinquent children, the department of elementary and secondary education shall be prohibited from creating any report or publication related to the Missouri school improvement program, or any

successor program, in which data from the district's regularly enrolled pupils is aggregated with data from the children residing in such facilities, unless the department creates an annotation to such report or publication with the data collected only from the district's regularly enrolled pupils and an explanation of the effects of the data from the children enrolled in such facilities on the aggregate data of the district.

167.131. 1. The board of education of each district in this state that does not maintain [an accredited] **a high school** [pursuant to the authority of the state board of education to classify schools as established in section 161.092] **offering work through the twelfth grade** shall pay [the] tuition [of] **as calculated by the receiving district under subsection 2 of this section** and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein **who has completed the work of the highest grade offered in the schools of the district and** who attends an accredited **public high** school in another district of the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The rate of tuition to be charged by the approved charter school attended and paid by the sending district is the per pupil cost of maintaining the approved charter school's grade level grouping. For a district, the cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. For an approved charter school, the cost of maintaining a grade level grouping shall be determined by the approved charter school but in no case shall it exceed all amounts spent by the district in which the approved charter school is located for teachers' wages, incidental purposes, debt service, maintenance, and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

3. For purposes of this section, "approved charter school" means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report.

167.132. 1. For purposes of this section, the following terms mean:

(1) "Available receiving district", an accredited district able to receive transfer students under section 167.826;

(2) "Average per-pupil current expenditure", the average per-pupil current expenditure for a district as a whole as reported to the department of elementary and secondary education in its most recent school accountability report card under section 160.522;

(3) "Receiving approved charter school", an approved charter school, as defined in section 167.848, receiving transfer students under section 167.826;

(4) "Receiving district", a district receiving transfer students under section 167.826;

(5) "Sending district", a district from which students are transferring to an available receiving

district or an approved charter school, as allowed under section 167.826.

2. Notwithstanding any other provisions of law to the contrary, a receiving district or a receiving approved charter school may negotiate with a sending district to accept a reduced tuition rate for transfer students. The receiving district or receiving approved charter school may limit the number of transfer students accepted at the reduced tuition rate as calculated under subsection 3 of this section. If the receiving district or receiving approved charter school elects to accept tuition as calculated under subsection 3 of this section and does not limit the number of transfer students accepted at such reduced rate, such district or approved charter school shall receive students through the education authority based solely on the parent request and available seats.

3. In school year 2017-18 and subsequent years, if a sending district and a receiving district or receiving approved charter school have agreed upon a reduced tuition rate, such tuition shall be calculated as the product of:

(1) The sum of the average per-pupil current expenditures of all available receiving districts for the sending district divided by the number of all available receiving districts for the sending district; and

(2) Seventy percent.

4. The appropriate education authority, as defined in section 167.848, that is coordinating the transfers for students in the sending district shall perform the calculation in subsection 3 of this section annually.

5. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final.

6. For each of the first two full school years that a receiving district or receiving approved charter school charges a rate of tuition as calculated under subsection 3 of this section, accepts a minimum of twenty-five transfer students at such reduced rate, and does not limit the number of transfer students accepted at such reduced rate, if the aggregate scores of student growth of all the transfer students in the receiving district or receiving approved charter school meet or exceed targets established in the state accountability system, the receiving district or receiving approved charter school shall earn additional credit in academic achievement on its annual performance report. The department of elementary and secondary education shall promulgate an administrative rule to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

7. If a receiving district elects to accept tuition as calculated under subsection 3 of this section and does not limit the number of transfer students accepted at such reduced rate, the department of elementary and secondary education shall consider such action as an additional criterion when determining whether to assign the receiving district a classification of accredited with distinction.

8. If a receiving district or receiving approved charter school elects to accept tuition as calculated under subsection 3 of this section and does not limit the number of transfer students accepted at such reduced rate, ten percent of the amount calculated under subdivision (1) of subsection 3 of this section for the receiving district or receiving approved charter school shall be paid from the supplemental tuition fund created in subsection 9 of this section.

9. There is hereby created in the state treasury the “Supplemental Tuition Fund”. The fund shall consist of any moneys appropriated annually by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund and any gifts, bequests, or public or private donations to such fund. The state treasurer shall be custodian of the fund. The department of elementary and secondary education shall administer the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.685. 1. Each unaccredited district shall offer free tutoring and supplemental education services to students who are performing below grade level or identified by the district as struggling, using funds from the school district improvement fund to the extent that such funds are available. A district may implement the free tutoring services requirement by entering into a contract with a public library for online tutoring services as provided in section 170.215.

2. There is hereby created in the state treasury the “School District Improvement Fund”. The fund shall consist of any gifts, bequests, or public or private donations to such fund. Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.

3. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursement of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section. A district that receives moneys from the fund may use such moneys to cover the cost of online tutoring services provided through a contract with a public library under section 170.215.

4. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

5. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.688. 1. Any underperforming district, as defined in section 167.848, may perform any or all of the following actions including, but not limited to:

(1) Implement a new curriculum, including appropriate professional development, based on scientifically based research that offers substantial promise of improving educational achievement of low-achieving students;

(2) Retain an outside expert to advise the district or school on its progress toward regaining accreditation;

(3) Enter into a contract with an education management company or education services provider that has a demonstrated record of effectiveness operating a school or schools;

(4) For any unaccredited school, enter into a collaborative relationship and agreement with an accredited district in which teachers from the unaccredited school may exchange positions with teachers from an accredited school in an accredited district for a period of two school weeks; or

(5) Implement any other change that is suggested by the state board of education, an expert or contractor approved under this section, or an assistance team under section 161.087, in accordance with state law, that the school board has reason to believe will result in improved performance for accreditation purposes.

2. Any underperforming district that offers an attendance recovery program designed exclusively to allow students to recapture attendance hours lost due to absences shall be allowed to include such attendance recovery hours in the district's attendance rate for purposes of the Missouri school improvement program accreditation scoring. Districts may offer attendance recovery programs on Saturdays or at any time before or after the school's regularly scheduled school hours. Extended hour and day programs designed for remediation or enrichment purposes shall not fulfill the criteria of attendance recovery programs as provided in this subsection.

167.730. 1. Beginning July 1, 2018, and continuing thereafter, every public school, including every charter school, in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county shall incorporate a response-to-intervention tiered approach to reading instruction to focus resources on students who are determined by their school to need additional or changed instruction to make progress as readers. At a minimum, the reading levels of students in kindergarten through tenth grade shall be assessed at the beginning and middle of the school year, and students who score below district benchmarks shall be provided with intensive and systematic reading instruction.

2. Beginning January 1, 2018, and every January first thereafter, every public school, including every charter school, in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county shall prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is working below grade level unless the student has been determined by other means in the current school year to be working at grade level or above. The provisions of this section shall not apply to students otherwise served under an individualized education program, to students receiving services through a plan prepared under Section 504 of the Rehabilitation Act of 1973 that includes an element addressing reading below grade level, or to students determined to have limited English proficiency.

3. For any student who is required by this section to have a personalized learning plan, the student's main teacher shall consult with the student's parent or guardian during the preparation of the plan and shall consult, as appropriate, any district personnel or department of elementary and secondary education personnel with necessary expertise to develop such a plan. The school shall require the written consent of the parent or guardian to implement the plan; however, if the school is unsuccessful in contacting the parent or guardian by January fifteenth, the school may send a letter by certified mail to the student's last known address stating its intention to implement the plan by February first.

4. After implementing the personalized learning plan through the end of the student's first grade year, the school shall refer any student who still performs below grade level for assessment to determine if an individualized education program is necessary for the student. A student who is assessed as not needing an individualized education program but who is reading below grade level at the end of the first grade shall continue to be required to have a personalized learning plan until the student is reading at grade level.

5. Notwithstanding any provision of law to the contrary, any student in a metropolitan school district, in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, or in any charter school located in any such district who is not reading at second-grade level by the end of second grade may be promoted to the third grade only under one of the following circumstances:

(1) The school provides additional reading instruction during the summer and demonstrates the student is ready for third grade at the end of the summer school;

(2) The school provides a combined classroom in which the student continues with the same teacher, sometimes referred to as "looping". If the student in such a classroom is not reading at third-grade level by the end of third grade, the student shall be retained in third grade; or

(3) The student's parents or guardians have signed a notice that they prefer to have their student promoted although the student is reading below grade level. The school shall have the final determination on the issue of retention.

6. The metropolitan school district, any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, and each charter school located in them shall provide in its annual report card under section 160.522 the numbers and percentages by grade from first grade to tenth grade in each school of any students at any grade level who have been promoted who have been determined as reading below grade level, except that no reporting shall permit the identification of an individual student.

7. School districts and charter schools under this section may provide for a student promotion and retention program and a reading instruction program that are equivalent to those that are described in this section with the oversight and approval of the department of elementary and secondary education.

167.825. 1. For school year 2017-18, students who transferred from an unaccredited district to an accredited district in the same or an adjoining county under section 167.131 as it existed on July 1, 2014, shall be allowed to participate under the same terms that governed such transfers in school

years 2014-15 through 2016-17, except that section 167.132 shall apply to determine the reimbursement of their tuition.

2. For school year 2017-18, if an unaccredited district becomes classified as provisionally accredited or accredited without provisions by the state board of education, any resident student of the unaccredited district who has transferred under section 167.131 as it existed on July 1, 2014, shall be permitted to continue the student's educational program through the completion of middle school, junior high school, or high school, whichever occurs first, except that a student who attends any school serving students through high school graduation but starting at grades lower than ninth grade shall be permitted to complete high school in the school to which he or she has transferred.

3. Notwithstanding any other provision of law, any student who was participating in the school transfer program before January 1, 2017, and who attended, for at least one semester immediately prior to transferring, a school in an unaccredited district, shall have the option of transferring to a virtual school as provided in subsection 8 of section 162.1250, an approved charter school, or another public school in the student's district of residence that offers the student's grade level of enrollment, as further provided in section 167.826.

167.826. 1. Any student may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education if such student is enrolled in and has attended an unaccredited school in an unaccredited district for the full semester immediately prior to requesting the transfer.

2. Any student may transfer to another public school in the student's district of residence that offers the student's grade level of enrollment and that is accredited without provisions by the state board of education if such student is enrolled in and has attended an unaccredited school, for the full semester immediately prior to requesting the transfer, in:

(1) An urban school district;

(2) A metropolitan school district;

(3) A district that has most or all of its land area located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants; or

(4) A district that has most or all of its land area located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants.

3. No such transfer under subsections 1 and 2 of this section shall result in a class size and assigned enrollment in a receiving school that exceeds the standards for class size and assigned enrollment as promulgated in the Missouri school improvement program's resource standards. If the student chooses to attend a magnet school, an academically selective school, or a school with a competitive entrance process within his or her district of residence that has admissions requirements, the student shall meet such admissions requirements in order to attend. The school board of each district described in subsections 1 and 2 of this section that operates an unaccredited school shall determine the capacity at each of the district's attendance centers that the state board of education has assigned a classification designation of accredited or accredited with distinction. The district's school board shall be responsible for coordinating student transfers from unaccredited schools to accredited

schools within the district. No student enrolled in and attending an attendance center that does not offer classes above the second grade level shall be eligible to transfer under this section.

4. Any student who is enrolled in and has attended an unaccredited school in an unaccredited district for the full semester immediately prior to requesting the transfer and who has first attempted but is unable to transfer to an accredited school within his or her district of residence under subsection 1 of this section due to a lack of capacity in accredited schools in the district of residence may apply for a scholarship to the appropriate education authority to transfer to:

(1) An accredited school in another district located in the same or an adjoining county;

(2) An approved charter school, as defined in section 167.848, in another district located in the same or an adjoining county; or

(3) A nonsectarian private school, as defined in section 167.848.

5. After the state board of education has assigned classification designations to all attendance centers under subsection 3 of section 161.238 and continuing thereafter, any student who is eligible to transfer under subsection 2 of this section and who has first attempted but is unable to transfer to an accredited school within his or her district of residence under subsection 2 of this section due to a lack of capacity in accredited schools in the district of residence may apply for a scholarship to the appropriate education authority to transfer to:

(1) An accredited school in another district located in the same or an adjoining county;

(2) An approved charter school, as defined in section 167.848, in another district located in the same or an adjoining county; or

(3) A nonsectarian private school, as defined in section 167.848.

6. The application to the education authority to transfer shall be made by March first before the school year in which the student intends to transfer.

7. A student who is eligible to begin kindergarten or first grade at an unaccredited school as described in subsection 1 or 2 of this section may apply to the appropriate education authority for a transfer if he or she resides in the attendance area of an unaccredited school on March first preceding the school year of first attendance. A student who does not apply by March first shall be required to enroll and attend for one semester to become eligible to transfer. If the student chooses to apply to attend a magnet school, an academically selective school, or a school with a competitive entrance process that has admissions requirements, the student shall furnish proof that he or she meets such admissions requirements. Any student who does not maintain residency in the attendance area of his or her attendance center in the district of residence shall lose eligibility to transfer. Any student who transfers but later withdraws shall lose eligibility to transfer. The transfer provisions of this subsection shall not apply to a district created under sections 162.815 to 162.840 or to any early childhood programs or early childhood special education programs.

8. No unaccredited district, provisionally accredited district, unaccredited school, or provisionally accredited school shall be eligible to receive transfer students, except that, within an unaccredited district, students may transfer from unaccredited schools to accredited schools, and a transfer student who chooses to attend a provisionally accredited school in the district of residence shall be allowed

to transfer to such school if there is an available slot.

9. If a charter school may receive nonresident transfer students under this section because it has been operating for less than three years but then loses its status as an approved charter school immediately after those three years because its three-year average score on its annual performance report is below seventy percent, any students who previously transferred to the charter school may remain enrolled in the charter school but no additional nonresident students may transfer to the charter school.

10. No attendance center with a three-year average score of seventy percent or lower on its annual performance report shall be eligible to receive any transfer students, irrespective of its state board of education classification designation, except that any student who was granted a transfer to such an attendance center prior to the effective date of this section may remain enrolled in that attendance center.

11. For a receiving district or receiving approved charter school, no acceptance of a transfer student shall require any of the following actions, unless the school board of the receiving district or the receiving approved charter school's governing board has approved the action:

(1) A class size and assigned enrollment in a receiving school that exceeds the number of students provided by its approved policy on class size under subsection 12 of this section;

(2) The hiring of additional classroom teachers; or

(3) The construction of additional classrooms.

12. Each receiving district and each receiving approved charter school shall have the right to establish and adopt, by objective means, a policy for desirable class size and student-teacher ratios. A district's policy may allow for estimated growth in the resident student population. An approved charter school may use the class size, student-teacher ratios, and growth projections for student enrollment contained in the charter school's charter application and charter when adopting a policy. Any district or approved charter school that adopts such a policy shall do so by January first annually. A receiving district or receiving approved charter school shall publish its policy and shall not be required to accept any transfer students under this section that would violate its class size or student-teacher ratio. If a student seeking to transfer is denied admission to a district or approved charter school based on a lack of space under the policy, the student or the student's parent or guardian may appeal the ruling to the state board of education if he or she believes the district's policy or approved charter school's policy is unduly restrictive to student transfers. If more than one student or parent appeals a denial of admission from the same district or approved charter school to the state board of education, the state board shall make an effort to hear such actions at the same time. If the state board of education finds that the policy is unduly restrictive to student transfers, the state board may limit the policy. The state board's decision shall be final.

13. For each student who transfers to another district or approved charter school, the student's district of residence shall pay the tuition amount for each transfer student to the receiving district or receiving approved charter school in two increments annually, once at the start of the school year and once at the start of the second semester of the school year. Each receiving district and receiving approved charter school shall adopt a policy establishing a tuition rate by February first annually.

14. If an unaccredited school becomes classified as provisionally accredited or accredited without provisions by the state board of education, any student who was assigned to such attendance center or a nonsectarian private school in the district of residence and who has transferred under this section shall be permitted to continue his or her educational program in that education option through the completion of middle school, junior high school, or high school, whichever occurs first, except that a student who attends any school serving students through high school graduation but starting at grades lower than ninth grade shall be permitted to complete high school in the school to which he or she has transferred.

15. (1) Except as provided in subdivision (2) of this subsection, if a district described in subsection 1 or 2 of this section operates an unaccredited school, the education authority for the county in which the district is located shall designate at least one accredited district in the same or an adjoining county to which the district operating the unaccredited school shall provide transportation for transfer students. If the designated district reaches full student capacity and is unable to receive additional students, the education authority shall designate at least one additional accredited district to which the district operating an unaccredited school shall provide transportation for transfer students.

(2) For the 2017-18 school year, and until such time as the governor has appointed a number of members sufficient to constitute a quorum to the education authority whose geographic coverage area includes a district operating an unaccredited school, the department of elementary and secondary education shall designate at least one accredited district in the same or an adjoining county to which a district operating an unaccredited school shall provide transportation for transfer students. If the designated district reaches full student capacity and is unable to receive additional students, the department shall designate at least one additional accredited district to which a district operating an unaccredited school shall provide transportation for transfer students.

(3) During the 2017-18 school year, for any district in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants that the state board of education classified as unaccredited effective January 1, 2014, the costs of providing transportation for transfer students to a designated accredited district in the same or an adjoining county shall be paid from the student transfer transportation fund. There is hereby created in the state treasury the “Student Transfer Transportation Fund”, which shall consist of moneys appropriated to this fund. The state treasurer shall be custodian of the fund. The commissioner of education shall administer the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and moneys in the fund shall be used solely by the department of elementary and secondary education for the purposes of this subdivision. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

16. Notwithstanding the provisions of subsection 13 of this section to the contrary, if costs associated with the provision of special education and related services to a student with a disability exceed the tuition amount established under this section, the transfer student’s district of residence shall remain responsible to pay the excess cost to the receiving district or receiving approved charter school. If the receiving district is a component district of a special school district, the transfer

student's district of residence, including any metropolitan school district, shall contract with the special school district for the entirety of the costs to provide special education and related services, excluding transportation pursuant to this section. The special school district may contract with the transfer student's district of residence, including any metropolitan district, for the provision of transportation of a student with a disability, or the transfer student's district of residence may provide transportation on its own.

17. A special school district shall continue to provide special education and related services, with the exception of transportation under this section, to a student with a disability transferring from an unaccredited school within a component district to an accredited school within the same or a different component district within the special school district.

18. If any metropolitan school district operates an unaccredited school, it shall remain responsible for the provision of special education and related services, including transportation, to students with disabilities. A special school district in an adjoining county to a metropolitan school district may contract with the metropolitan school district for the reimbursement of special education services pursuant to sections 162.705 and 162.710 provided by the special school district for transfer students who are residents of the district operating an unaccredited school.

19. Regardless of whether transportation is identified as a related service within a student's individualized education program, a receiving district that is not part of a special school district shall not be responsible for providing transportation to a student transferring under this section. A district operating an unaccredited school may contract with a receiving district that is not part of a special school district pursuant to sections 162.705 and 162.710 for transportation of students with disabilities.

20. If a seven-director district or urban school district as described under subsection 1 or 2 of this section operates an unaccredited school, it may contract with a receiving district that is not part of a special school district in the same or an adjoining county for the reimbursement of special education and related services pursuant to sections 162.705 and 162.710 provided by the receiving district for transfer students who are residents of the district operating an unaccredited school.

167.827. 1. By August 1, 2017, and by January first annually, each district eligible to receive transfer students under section 167.826 shall report to the education authority for the county in which the district is located its number of available enrollment slots in accredited schools by grade level. Each district described in subsection 1 or 2 of section 167.826 operating an unaccredited school shall report to the education authority the number of available enrollment slots in the accredited schools of the district by August 1, 2017, and by January first annually. Each approved charter school and nonsectarian private school that is eligible to receive transfer students under section 167.826 shall report the number of available enrollment slots by August 1, 2017, and by January first annually.

2. Any education authority whose geographic area includes a district described in subsection 1 or 2 of section 167.826 operating an unaccredited school shall make information and assistance available to parents or guardians who intend to transfer their child from an unaccredited school to an accredited school in another district in the same or an adjoining county or an approved charter school in another district in the same or an adjoining county or a nonsectarian private school.

3. The parent or guardian of a student who intends to transfer his or her child from an

unaccredited school to an accredited school in another district in the same or an adjoining county or an approved charter school in another district in the same or an adjoining county shall send initial notification to the education authority for the county in which he or she resides by March first for enrollment in the subsequent school year.

4. The education authority whose geographic area includes a district that operates an unaccredited school described in subsection 1 or 2 of section 167.826 shall assign those students who are unable to transfer to an accredited school in their district of residence and seek to transfer to an accredited school in another district in the same or an adjoining county or an approved charter school in another district in the same or an adjoining county or a nonsectarian private school. When assigning transfer students to approved charter schools, an education authority shall coordinate with each approved charter school and its admissions process if capacity is insufficient to enroll all students who submit a timely application. An approved charter school shall not be required to receive any transfer students that would require it to institute a lottery procedure for determining the admission of resident students. The authority shall give first priority to students who live in the same household with any family member within the first or second degree of consanguinity or affinity who have already transferred and who apply to attend the same school. If insufficient grade-appropriate enrollment slots are available for a student to be able to transfer, that student shall receive first priority the following school year. The authority shall only disrupt student and parent choice for transfer if the available slots are requested by more students than there are slots available. The authority shall consider the following factors in assigning schools, with the student's or parent's choice as the most important factor:

- (1) The student's or parent's choice of the receiving school;
- (2) The best interests of the student; and
- (3) Distance and travel time to a receiving school.

The education authority shall not consider student academic performance, free and reduced price lunch status, or athletic ability in assigning a student to a school. When assigning transfer students to approved charter schools, an education authority shall coordinate with each approved charter school and its admissions process if capacity is insufficient to enroll all students who submit a timely application.

5. An education authority may deny a transfer to a student who in the most recent school year has been suspended from school two or more times or who has been suspended for an act of school violence under subsection 2 of section 160.261. A student whose transfer is initially precluded under this subsection may be permitted to transfer on a provisional basis as a probationary transfer student, subject to no further disruptive behavior, upon a statement from the student's current school that the student is not disruptive. A student who is denied a transfer under this subsection has the right to an in-person meeting with a representative of the authority. Each education authority shall develop administrative guidelines to provide common standards for determining disruptive behavior that shall include, but not be limited to, criteria under the safe schools act.

6. Notwithstanding any other provision of law, the test scores of transfer students attending schools in districts other than their district of residence under section 167.826 shall be counted as

follows:

(1) In the first year of attendance in a district or approved charter school, a transfer student's score on a statewide assessment shall not be included when calculating the status or progress scores on the district's or charter school's annual performance report scores. The growth score shall be weighted at one hundred percent;

(2) In the second year of attendance, a transfer student's score on a statewide assessment shall be weighted at thirty percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the growth score weighted at one hundred percent;

(3) In the third year of attendance, a transfer student's score on a statewide assessment shall be weighted at seventy percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the growth score weighted at one hundred percent;

(4) In the fourth year of attendance and any subsequent years of attendance, a transfer student's score on a statewide assessment shall be weighted at one hundred percent when calculating the district's or charter school's performance for purposes of the district's or charter school's annual performance report status or progress score, with the growth score weighted at one hundred percent.

7. When performing the requirements of this section, section 167.132, or sections 167.830 to 167.845, if an education authority whose geographic area includes a district that operates an unaccredited school as described in subsection 1 or 2 of section 167.826 is not coordinating transfers due to insufficient funding or because the governor has not yet appointed a number of members sufficient to constitute a quorum to the education authority, the department of elementary and secondary education shall contract with or collaborate with any organizations it chooses, subject to the exception described in subsection 8 of this section, in order to coordinate transfers that each education authority is required to coordinate under such sections. The department of elementary and secondary education and such organization or organizations it chooses shall fulfill all functions of the education authorities, including the duty to perform the scholarship calculation as described in subsection 4 of section 167.132. Any applications for transfers and any reports of available enrollment slots that the education authorities would have received shall be submitted to the department of elementary and secondary education or such organization or organizations it chooses instead.

167.828. 1. The school board of any unaccredited district located in any city not within a county, any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, or in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants that operates an unaccredited school shall provide a scholarship for any student who has enrolled in and attended an unaccredited school in the district for one semester to attend a nonsectarian private school, as defined in section 167.848, located in his or her district of residence and is assigned to such school by the education authority.

2. The amount of the scholarship to be paid shall be paid from the district's operating levy for school purposes and shall not exceed the lesser of:

(1) The nonsectarian private school's tuition rate; or

(2) Seventy percent of the unaccredited district's cost of maintaining a grade level grouping as provided by subdivision (1) of subsection 6 of section 167.826.

3. A nonsectarian private school shall qualify to receive scholarship tuition payments under this section only if it satisfies the following conditions:

(1) Is accredited by the North Central Association Commission On Accreditation and School Improvement or demonstrates similar academic quality credentials to the department of elementary and secondary education;

(2) Administers or allows for the administration of the statewide assessments in English language arts and mathematics for transfer students;

(3) Complies with all health and safety laws or codes that apply to nonpublic schools;

(4) Holds a valid occupancy permit if required by its municipality;

(5) Certifies that it will not discriminate in admissions on the basis of race, color, religion, national origin, or disability;

(6) For all students enrolled in the school under the nonsectarian option set forth in section 167.826, complies with the following statutes and any regulations promulgated thereunder by the department of elementary and secondary education: sections 43.408, 43.540, 160.041, 160.045, 160.257, 160.261, 160.262, 160.263, 160.518 for state assessments, the cost of which shall be paid consistent with the manner in which they are paid for students in public schools, 160.522, 160.539, 160.570, 160.660, 160.775, 160.1990, 161.850, 161.102, 161.650, 162.014, 162.068, 162.069, 162.208, 162.215, 162.401, 162.670, 162.720, subdivisions (1) to (3) of section 162.821, 162.1250, 162.1125, subdivisions (1) and (2) of subsection 1 of section 163.021 for eligibility to receive local funds but compliance with these sections shall not make nonsectarian private schools eligible to receive state funding under section 163.031, 167.018, 167.019, 167.020, 167.022, 167.023, 167.031, 167.115, 167.117, 167.122, 167.123, 167.161, 167.166, 167.171, 167.181, 167.191, 167.208, 167.211, 167.227, 167.268, 167.275, 167.280, 167.621 to 167.635, 167.645, 167.700, 167.720, 167.765, 170.005, 170.011, 170.051, 170.315, 170.340, 171.021, 171.031 to 171.033, 171.053, 171.151, 171.171, 178.530, 182.815, 182.817, 191.765 to 191.777, 210.003, 210.110, 210.115, 210.145, 210.150, 210.165, 210.167, 210.760, 210.865, 211.032, 211.034, 211.181, 211.185, 211.188, 320.010, 452.375, 452.376, and 544.193. Nothing in this subdivision shall be construed to exempt the nonsectarian private school from other statutes and regulations which applied to the nonsectarian schools as of January 1, 2014;

(7) Furnishes to the department of elementary and secondary education all necessary data for the calculation of an annual performance report score, which the department shall calculate for each participating nonsectarian private school. At the option of the nonsectarian private school, such score shall be based upon only the records pertaining to students enrolled in the school through the transfer program or for all students if the school chooses to administer state testing to all students;

(8) Where applicable, contracts with a special school district to provide special education services to eligible students on the same terms as public schools, and the costs associated with the services shall be paid in the same manner;

(9) Certifies to the department of elementary and secondary education and to the unaccredited

district that it shall accept the tuition amount specified in subsection 2 of this section as payment in full for the transfer student and shall not require the parent or guardian to pay any additional amount for tuition; and

(10) Files with the department of elementary and secondary education, the appropriate education authority, and the unaccredited district a statement of intent to accept transfer students that includes the information listed in this subsection.

4. When the percentage of transfer students at a nonsectarian private school receiving transfer students under this section reaches twenty-five percent of the school's enrollment, the school shall conform to the Missouri school improvement program performance standards to continue its eligibility for the program under this section.

5. Tuition for a student who attends a nonsectarian private school shall be paid only using funds received by the district from the operating levy for school purposes.

6. The student's district of residence may provide transportation for him or her to attend a nonsectarian private school located within the district but shall not be required to do so.

7. (1) The option for any student who has enrolled in and attended an unaccredited school in an unaccredited district for one semester to attend a nonsectarian private school as provided in this section shall become effective only after the governing body of an unaccredited district, as specified in subsection 1 of this section, submits to the district's voters at a general election a proposal to authorize the governing body to use local operating funds for school purposes to pay for a scholarship at a nonsectarian private school for students assigned to an unaccredited school in the district under sections 167.826 to 167.828 and such proposal is approved by the voters of the district as provided in this subsection. The governing body of the school district shall submit the proposal to the voters of the district at the next general election after the decision of the state board of education declaring the district unaccredited for which the deadline for submission of such ballot proposals is open. The ballot proposal presented to the local voters shall contain substantially the following language:

Shall the (school district's name) allow the use of the district's local operating funds for school purposes to pay for a scholarship at nonsectarian private schools for students who are assigned to an unaccredited public school in the district and who apply to transfer to nonsectarian private schools under section 167.828, RSMo?

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon is in favor of the question, the option for students to transfer to a nonsectarian private school shall become effective in that district the next school year. If a majority of the votes cast on the question by the qualified voters voting thereon is opposed to the question, the option shall not become effective unless and until the proposal is resubmitted under this subsection to the qualified voters at a general election and such proposal is approved by a majority of the qualified voters voting on the proposal.

(2) Whenever the governing body of a school district specified in subsection 1 of this section that has not authorized the use of its local operating funds for school purposes as provided in this subsection receives a petition from a nonsectarian private school, signed by the school's chief operating officer, calling for an election to authorize the use of local operating funds for school

purposes to pay for a scholarship at a private nonsectarian school under this subsection, the governing body shall submit to the voters a proposal to authorize such use of funds at the next general election for which the deadline for submission of such ballot proposals is open. If a majority of the votes cast on the question by the qualified voters voting thereon is in favor of the proposal, the option for students to transfer to a nonsectarian private school shall become effective in that district the next school year. If a majority of the votes cast on the proposal by the qualified voters voting thereon is opposed to the proposal, the option shall not become effective unless and until the proposal is resubmitted under this subsection to the qualified voters at a general election and such proposal is approved by a majority of the qualified voters voting on the proposal.

8. Notwithstanding the provisions of subsection 7 of this section to the contrary, if any district remains classified as unaccredited by the state board of education for three consecutive years, resident students of the district shall be eligible to enroll in and attend a nonsectarian private school located in the district of residence and have scholarship tuition paid by the district school board under this section, irrespective of whether the district voters have approved a proposal to authorize the district's governing body to use local operating funds for school purposes to pay scholarship at a nonsectarian private school.

9. Notwithstanding the provisions of subsection 2 of this section to the contrary, where costs associated with the provision of special education and related services to a student with a disability exceed the scholarship amount established under this section, the unaccredited district shall remain responsible to pay the excess cost to the nonsectarian private school.

167.830. 1. There is hereby established the "St. Louis Area Education Authority". The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011.

2. If any metropolitan school district, any district located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, or any district located in an adjoining county to them operates at least one unaccredited school, the authority shall coordinate student transfers from unaccredited schools to schools in accredited districts as set forth in section 167.826 and, if applicable, to approved charter schools or nonsectarian private schools.

3. The authority shall consist of five members to be appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state. The members shall reflect the population characteristics of the districts they represent. Not more than three of the five members of the authority shall be of the same political party. Two members shall be residents of the metropolitan school district, two members shall be residents of school districts located in a county with a charter form of government and with more than nine hundred fifty thousand inhabitants, and one member shall be a resident of a district located in an adjoining county to a county with a charter form of government and with more than nine hundred fifty thousand inhabitants. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

(1) One member shall be appointed for a term of two years;

- (2) One member shall be appointed for a term of three years;**
- (3) One member shall be appointed for a term of four years;**
- (4) One member shall be appointed for a term of five years; and**
- (5) One member shall be appointed for a term of six years.**

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors have been appointed and have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term within thirty days of notification of the vacancy. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall temporarily serve as its president. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof to:

- (1) Have perpetual succession as a body politic and corporate;**
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;**
- (3) Sue and be sued and prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;**
- (4) Establish and use a corporate seal and alter the same at pleasure;**
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;**

(6) Employ an executive director and other staff as needed, with compensation fixed by the authority;

(7) Coordinate student transfers located in its jurisdiction, as provided by law; and

(8) Coordinate and collaborate with local districts, approved charter schools, and local governments for the transfer of students, as provided by law.

167.833. 1. There is hereby created in the state treasury the “St. Louis Area Education Authority Fund”. The fund shall consist of any appropriations, gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the education authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursement of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of sections 167.830 and 167.833.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.836. 1. There is hereby established the “Kansas City Area Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011.

2. If any district located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants or in an adjoining county operates at least one unaccredited school, the authority shall coordinate student transfers from unaccredited schools to schools in accredited districts as set forth in section 167.826 and, if applicable, to approved charter schools or nonsectarian private schools.

3. The authority shall consist of five members appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state. Three members shall be residents of an urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county. One member shall be a resident of a school district located in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants but such member shall be a resident of a school district other than an urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county. One member shall be a resident of a school district located in a county adjoining to a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred

thousand inhabitants. The members shall reflect the population characteristics of the districts they represent. Not more than three of the five members of the authority shall be of the same political party. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1) One member shall be appointed for a term of two years;
- (2) One member shall be appointed for a term of three years;
- (3) One member shall be appointed for a term of four years;
- (4) One member shall be appointed for a term of five years; and
- (5) One member shall be appointed for a term of six years.

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors have been appointed and have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term within thirty days of notification of the vacancy. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof, to:

- (1) Have perpetual succession as a body politic and corporate;

- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;**
- (3) Sue and be sued and prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;**
- (4) Establish and use a corporate seal and alter the same at pleasure;**
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;**
- (6) Employ an executive director and other staff as needed, with compensation fixed by the authority;**
- (7) Coordinate student transfers located in its jurisdiction, as provided by law; and**
- (8) Coordinate and collaborate with local districts, approved charter schools, and local governments for the transfer of students, as provided by law.**

167.839. 1. There is hereby created in the state treasury the “Kansas City Area Education Authority Fund”. The fund shall consist of any appropriations, gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the education authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursement of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of sections 167.836 and 167.839.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.842. 1. There is hereby established the “Statewide Education Authority”. The authority is hereby constituted a public instrumentality and body politic and corporate, and the exercise by the authority of the powers conferred by this section shall be deemed and held to be the performance of an essential public function. Unless otherwise provided, the authority shall be subject to all general laws pertaining to the operation of seven-director districts as defined in section 160.011. The jurisdiction of the statewide education authority shall be all counties except for:

- (1) Any city not within a county;**
 - (2) Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants and adjoining counties; and**
 - (3) Any county with a charter form of government and with more than nine hundred fifty thousand inhabitants and adjoining counties.**
- 2. If any district located in the statewide education authority’s jurisdiction operates at least one**

unaccredited school, the authority shall coordinate student transfers from unaccredited schools to schools in accredited districts as set forth in section 167.826 and, if applicable, to approved charter schools or nonsectarian private schools.

3. The authority shall consist of five members to be appointed by the governor, by and with the advice and consent of the senate, each of whom shall be a resident of the state. The members shall reflect the population characteristics of the districts they represent. Not more than three of the five members of the authority shall be of the same political party. The governor shall not appoint members to the authority until the state board of education gives notice that a district in the authority's jurisdiction has been classified as unaccredited. The length of term for members shall be six years except for the initial members, who shall be appointed in the following manner:

- (1) One member shall be appointed for a term of two years;
- (2) One member shall be appointed for a term of three years;
- (3) One member shall be appointed for a term of four years;
- (4) One member shall be appointed for a term of five years; and
- (5) One member shall be appointed for a term of six years.

4. The term length of each initial appointee shall be designated by the governor at the time of making the appointment. Upon the expiration of the initial terms of office, successor members shall be appointed for terms of six years and shall serve until their successors have been appointed and have qualified. Any member shall be eligible for reappointment. The governor shall fill any vacancy for the remainder of any unexpired term within thirty days of notification of the vacancy. Any member of the authority may be removed by the governor for misfeasance, malfeasance, willful neglect of duty, or other cause after notice and a public hearing unless the notice or hearing shall be expressly waived in writing.

5. Members of the authority shall receive no compensation for services, but shall be entitled to reimbursement for necessary expenses, including traveling and lodging expenses, incurred in the discharge of their duties. Any payment for expenses shall be paid from funds of the authority.

6. One member of the authority, designated by the governor for the purpose, shall call and convene the initial organizational meeting of the authority and shall serve as its president pro tempore. At the initial meeting and annually thereafter, the authority shall elect one of its members as president. The authority may appoint an executive director who shall not be a member of the authority and who shall serve at its pleasure. If an executive director is appointed, he or she shall receive such compensation as shall be fixed from time to time by action of the authority. The authority shall appoint a member as secretary who shall keep a record of the proceedings of the authority and shall be the custodian of all books, documents, and papers filed with the authority, the minute books or journal thereof, and its official seal. The secretary may cause copies to be made of all minutes and other records and documents of the authority and may give certificates under the official seal of the authority to the effect that the copies are true and correct copies, and all persons dealing with the authority may rely on such certificates. The authority, by resolution duly adopted, shall fix the powers and duties of its executive director as it may, from time to time, deem proper and necessary.

7. Meetings, records, and operations of the authority shall be subject to the provisions of chapter 610.

8. The authority shall have the following powers, together with all powers incidental thereto or necessary for the performance thereof, to:

- (1) Have perpetual succession as a body politic and corporate;**
- (2) Adopt bylaws for the regulation of its affairs and the conduct of its business;**
- (3) Sue and be sued and prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties;**
- (4) Establish and use a corporate seal and alter the same at pleasure;**
- (5) Maintain an office at such place or places in the state of Missouri as it may designate;**
- (6) Employ an executive director and other staff as needed, with compensation fixed by the authority;**
- (7) Coordinate student transfers located in its jurisdiction, as provided by law; and**
- (8) Coordinate and collaborate with local districts, approved charter schools, and local governments for the transfer of students, as provided by law.**

167.845. 1. There is hereby created in the state treasury the “Statewide Education Authority Fund”. The fund shall consist of any appropriations, gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to fund the operations of the education authority. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursement of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of sections 167.842 and 167.845.

2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

3. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

167.848. For purposes of sections 161.084, 161.087, 161.238, 162.1250, 162.1305, 162.1310, 162.1313, 167.642, 167.685, 167.688, and 167.825 to 167.848, the following terms mean:

- (1) “Accredited district”, a school district that is classified as accredited or accredited with distinction by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087 and 161.092;**
- (2) “Accredited school”, an attendance center that is classified as accredited or accredited with distinction by the state board of education pursuant to the authority of the state board of education**

to classify schools as established in sections 161.087, 161.092, and 161.238;

(3) “Approved charter school”, a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report;

(4) “Attendance center”, a public school building or buildings or part of a school building that constitutes one unit for accountability purposes under the Missouri school improvement program;

(5) “Borderline district”, a school district that has a current annual performance report score between seventy-five and seventy with the last two consecutive years showing a decline in the score, with a district third-grade or eighth-grade statewide reading assessment that shows that fifty percent or more of the students are at a level less than proficient, and a transient student ratio in the top quartile of districts;

(6) “Education authority” or “authority”, an education authority established under sections 167.830 to 167.845;

(7) “Nonsectarian school”, “nonsectarian private school”, or “private nonsectarian school”, a school that is not part of the public school system of the state of Missouri, that charges tuition for the rendering of elementary and secondary educational services, and that is not disqualified from accepting public funds by any provision of the Missouri or United States Constitutions;

(8) “Provisionally accredited district”, a school district that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087 and 161.092;

(9) “Provisionally accredited school”, an attendance center that is classified as provisionally accredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087, 161.092, and 161.238;

(10) “Unaccredited district”, a school district classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087 and 161.092;

(11) “Unaccredited school”, an attendance center that is classified as unaccredited by the state board of education pursuant to the authority of the state board of education to classify schools as established in sections 161.087, 161.092, and 161.238;

(12) “Underperforming”, a school district or an attendance center that has been classified as unaccredited or provisionally accredited pursuant to the authority of the state board of education to classify schools or has a three-year average annual performance report score consistent with a classification of provisionally accredited or unaccredited.

167.890. 1. The department of elementary and secondary education shall compile and maintain student performance data scores of all transfer students enrolled in districts other than their resident districts as provided in sections 167.825 and 167.826 and make such data available on the Missouri comprehensive data system. No personally identifiable data shall be accessible on the database.

2. The department of elementary and secondary education may promulgate all necessary rules

and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

170.215. 1. Any school district may enter into a contract with a public library to provide online tutoring services through a third-party vendor or a nonprofit organization for the district's students. Any tutoring services shall be conducted through any compatible computer to participating students who have a library card, both within and without the public library facility.

2. Online tutoring services may include, but shall not be limited to, providing participating students with a library card the following:

(1) Assistance with homework;

(2) Collaboration and study tools in math, science, social sciences, English, language arts, and computer literacy;

(3) Access to comprehensive writing assistance productivity software; and

(4) Test preparation tools.

3. Any contract may allow participating students with a library card dedicated access to assistance during specified hours of the day and specified days of the week. A contract may also allow students to submit questions to tutors or join online study groups.

4. Online tutoring services shall be designed and implemented in such a manner as to:

(1) Protect individual student privacy;

(2) Prohibit voice communication between the parties; and

(3) Prohibit face-to-face visual communication.

5. No employee of any third-party vendor or nonprofit organization with which a public library has contracted for online tutoring services shall solicit personally identifiable information from any participating student including, but not limited to, home address, telephone number, and email address.

6. Any entity that offers online tutoring services under this section shall maintain an archive of all communications between students and tutors for two years.

7. School districts may use available funds or seek grants from private foundations to cover the costs of online tutoring services.

170.320. 1. There is hereby created in the state treasury the "Parent Portal Fund". The fund shall consist of any gifts, bequests, or public or private donations to such fund. Any moneys in the fund shall be used to assist districts in establishing and maintaining a parent portal. School districts may establish a parent portal that shall be accessible by mobile technology for parents to have access to

educational information and access to student data. Any person or entity that makes a gift, bequest, or donation to the fund may specify the district that shall be the recipient of such gift, bequest, or donation.

2. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education and shall make disbursements of private funds according to the directions of the donor. If the donor did not specify how the private funds were to be disbursed, the state treasurer shall contact the donor to determine the manner of disbursement. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

3. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

4. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date and providing a minimum term of at least one hundred seventy-four days for schools with a five-day school week or one hundred forty-two days for schools with a four-day school week, and one thousand forty-four hours of actual pupil attendance. In addition, such calendar shall include six make-up days for possible loss of attendance due to inclement weather as defined in subsection 1 of section 171.033.

2. Each local school district may set its opening date each year, which date shall be no earlier than ten calendar days prior to the first Monday in September. No public school district shall select an earlier start date unless the district follows the procedure set forth in subsection 3 of this section.

3. A district may set an opening date that is more than ten calendar days prior to the first Monday in September only if the local school board first gives public notice of a public meeting to discuss the proposal of opening school on a date more than ten days prior to the first Monday in September, and the local school board holds said meeting and, at the same public meeting, a majority of the board votes to allow an earlier opening date. If all of the previous conditions are met, the district may set its opening date more than ten calendar days prior to the first Monday in September. The condition provided in this subsection must be satisfied by the local school board each year that the board proposes an opening date more than ten days before the first Monday in September.

4. If any local district violates the provisions of this section, the department of elementary and secondary education shall withhold an amount equal to one quarter of the state funding the district generated under section 163.031 for each date the district was in violation of this section.

5. The provisions of subsections 2 to 4 of this section shall not apply to school districts in which school is in session for twelve months of each calendar year.

6. The state board of education may grant an exemption from this section to a school district that demonstrates highly unusual and extenuating circumstances justifying exemption from the provisions of subsections 2 to 4 of this section. Any exemption granted by the state board of education shall be valid for one academic year only.

7. No school day for schools with a five-day school week shall be longer than seven hours except for:

(1) Vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a first class county adjacent to a city not within a county, and any school that adopts a four-day school week in accordance with section 171.029; and

(2) A school district that increases the length of the school day or the number of required hours by following the procedure established in subsection 8 of this section.

8. The school board of any district in this state that has been classified as unaccredited or provisionally accredited by the state board of education or that is accredited but has a three-year average annual performance report score consistent with a classification of unaccredited or provisionally accredited may increase the length of the school day upon adoption of a resolution by a majority vote to authorize such action. Such a school district may also increase the annual hours of instruction above the required number of hours in subsection 1 of this section by the adoption of a resolution by a majority vote to authorize such action.

9. (1) There is hereby created in the state treasury the “Extended Learning Time Fund”. The fund shall consist of any moneys that may be appropriated by the general assembly from general revenue to such fund, any moneys paid into the state treasury and required by law to be credited to such fund, and any gifts, bequests, or public or private donations to such fund.

(2) The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of subsection 8 of this section.

(3) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(4) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

177.015. 1. Each district that owns a building that is not occupied shall, by March fifteenth annually, prepare a public document listing the status of each district-owned building that is not occupied. The document shall include the address of each building and the amount of money the district spends annually on the building including, but not limited to, a separate accounting for repairs, maintenance, utilities, and insurance. The document shall include an estimate of the fair market value of each building. The district shall post this information on its internet website and make the document available to each district taxpayer.

2. For purposes of this section, the term “occupied” means a district-owned building used for the education of children between the ages of four and twenty-one for at least three hours a day for a school term.

7. (1) In fiscal years 2018 and 2019, in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants that contains all or any portion of a school district that has been designated as unaccredited or provisionally accredited by the state board of education,

up to five percent of the community children's services fund's yearly revenues, based on the total dollar amount needed to provide services as determined by a needs assessment, shall be devoted to a grant program that delivers services directly to schools in such districts according to the procedure in this subsection. The president of the school board shall notify the board of directors within five business days after such designation. The board shall, in its budget process for the following fiscal year, ensure that the total amount of funds needed to provide services based on the needs assessment is allocated according to this subsection, not to exceed five percent of the fund's yearly revenues. If the total amount of funds needed to provide such services exceeds five percent of the fund's yearly revenues, the funds shall be distributed in an order based on the greatest need for each district. Any moneys distributed from the fund to a district shall be subject to an annual audit.

(2) The board shall undertake a needs assessment for any such school district within ninety days after receipt of the notice under this subsection. The needs assessment shall be used as a basis for comprehensive mental health wraparound services delivery for which the board shall contract as provided under subsection 3 of this section.

(3) The board shall appoint one of its members to a direct school service coordinating committee, which is hereby created. The board may appoint an additional one of its members to serve as an ex officio member. The board shall appoint a social worker to the committee. The school board of each affected district shall appoint two parents with a child enrolled in a public school in the district based on school district identification numbers from the department of elementary and secondary education, rotating year to year from highest number to lowest number. The school board of each affected district shall appoint a school services staff member. The superintendent of each affected district shall serve on the committee. An additional member from each affected district may be appointed to serve as an ex officio member.

(4) The direct school service coordinating committee shall provide recommendations and oversight to the program of contracted services under this subsection.

(5) If an additional district becomes unaccredited or provisionally accredited in the service area of the children's services fund, the general assembly shall review the percentage of revenue dedicated to the grant program for a possible increase.

(6) The provisions of this subsection shall terminate on June 30, 2019.

Section 1. If any provision of this act, or the application thereof to anyone or to any circumstances is held invalid, the remainder of the provisions of this act and the application of such provisions to others or other circumstances shall not be affected thereby.

Section B. Because of the importance of improving and sustaining Missouri's elementary and secondary education system and establishing standards for student transfers to school districts, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above substitute amendment be adopted.

At the request of Senator Koenig, **SB 313**, with **SCS**, **SS** for **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Brown, Chairman of the Committee on Appropriations, Senator Kehoe submitted the following report:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 14**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Parson assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HB 469—Education.

HB 758—Education.

HCS for **HB 151**—Veterans and Military Affairs.

HB 956—Local Government and Elections.

HB 1009—Commerce, Consumer Protection, Energy and the Environment.

HCS for **HB 915**—General Laws.

HCS for **HB 831**—Health and Pensions.

HCS for **HBs 90 & 68**—Transportation, Infrastructure and Public Safety.

SENATE BILLS FOR PERFECTION

Senator Romine moved that **SB 328**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 328**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 328

An Act to repeal sections 163.191, 172.280, 173.005, 174.160, 174.225, 174.231, 174.251, 174.324, 174.500, and 178.636, RSMo, and to enact in lieu thereof nine new sections relating to higher education, with an existing penalty provision.

Was taken up.

Senator Romine moved that **SCS** for **SB 328** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 328, Page 1, Section A, Line 5, by inserting after all of said line the following:

“104.1205. The board of trustees of the Missouri state employees’ retirement system shall:

(1) Establish a defined contribution plan for outside employees which, among other things, provides for immediate vesting;

(2) Select a third-party administrator to provide such services as the board determines to be necessary for the proper administration of the defined contribution plan;

(3) Select the investment products which shall be made available to the participants in the defined contribution plan;

(4) Annually establish the contribution rate used for purposes of subsection 3 of section 104.1066 for employees of institutions who are other than outside employees, which shall be done by considering all such employees to be part of the general employee population within the Missouri state employees’ retirement system;

(5) Establish the contribution rate for outside employees which shall be equal to [one] **six** percent of payroll [less than the normal cost contribution rate established pursuant to subdivision (4) of this section; and];

(6) Require outside employees hired on or after July 1, 2018, to contribute two percent of the employee’s pay to the defined contribution plan which shall be credited to a separate account within the outside employee’s individual account. The employing institution, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay such contributions. The contributions so picked up shall be treated as employer contributions for purposes of determining the outside employee’s pay that is includable in the outside employee’s gross income for federal income tax purposes. The outside employee’s contributions picked up by the employing institution shall be:

(a) Paid from the same source of funds used for the payment of pay to an outside employee. A deduction shall be made from each outside employee’s pay equal to the amount of the outside employee’s contributions picked up by the employing institution; and

(b) Paid by the employing institution in lieu of the contributions by the outside employee, although designated as employee contributions. The outside employee shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employing institution to the defined contribution plan;

(7) Establish such rules and regulations as may be necessary to carry out the purposes of this section; and

(8) Allow outside employees to contribute two percent of the employee’s pay to a supplemental account established by the employer. Such employees may elect to change the contribution rate in accordance with the terms of the supplemental account, but shall not contribute less than two percent

of his or her pay.”; and

Further amend said bill, section 174.324, page 16, line 13, by inserting after all of said line the following:

“Section B. Section 104.1205 of section A of this act shall become effective July 1, 2018.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 328, Page 11, Section 173.005, Line 238, by inserting after all of said line the following:

“173.1101. The financial assistance program established under sections 173.1101 to 173.1107 shall be hereafter known as the “Access Missouri Financial Assistance Program”. The coordinating board and all approved private, [and] public, **and virtual** institutions in this state shall refer to the financial assistance program established under sections 173.1101 to 173.1107 as the access Missouri student financial assistance program in their scholarship literature, provided that no institution shall be required to revise or amend any such literature to comply with this section prior to the date such literature would otherwise be revised, amended, reprinted or replaced in the ordinary course of such institution’s business.

173.1102. **1.** As used in sections 173.1101 to 173.1107, unless the context requires otherwise, the following terms mean:

(1) “Academic year”, the period from July first of any year through June thirtieth of the following year;

(2) “Approved private institution”, a nonprofit institution, dedicated to educational purposes, located in Missouri which:

(a) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;

(b) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a certificate or degree;

(c) Meets the standards for accreditation as determined by either the Higher Learning Commission or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to nondegree-granting institutions as established by the coordinating board for higher education;

(d) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of institutions offering the enrollment limited to one sex;

(e) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(3) “Approved public institution”, an educational institution located in Missouri which:

- (a) Is directly controlled or administered by a public agency or political subdivision;
 - (b) Receives appropriations directly or indirectly from the general assembly for operating expenses;
 - (c) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;
 - (d) Meets the standards for accreditation as determined by either the Higher Learning Commission, or if a public community college created under the provisions of sections 178.370 to 178.400 meets the standards established by the coordinating board for higher education for such public community colleges, or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to the institution as established by the coordinating board for higher education;
 - (e) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto;
 - (f) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;
- (4) “Approved virtual institution”, an educational institution that meets all of the following requirements:**
- (a) Is recognized as a qualifying institution by gubernatorial executive order, unless such order is rescinded;**
 - (b) Is recognized as a qualifying institution through a memorandum of understanding between the state of Missouri and the approved virtual institution;**
 - (c) Is accredited by a regional accrediting agency recognized by the United States Department of Education;**
 - (d) Has established and continuously maintains a physical campus or location of operation within the state of Missouri;**
 - (e) Maintains at least twenty-five full-time Missouri employees, at least one-half of which shall be faculty or administrators engaged in operations;**
 - (f) Enrolls at least one thousand Missouri residents as degree or certificate seeking students;**
 - (g) Maintains a governing body or advisory board based in Missouri with oversight of Missouri operations;**
 - (h) Is organized as a nonprofit institution; and**
 - (i) Utilizes an exclusively competency-based education model;**
- (5) “Coordinating board”, the coordinating board for higher education;**
- [(5)] (6) “Expected family contribution”, the amount of money a student and family should pay toward the cost of postsecondary education as calculated by the United States Department of Education and reported on the student aid report or the institutional student information record;**

[(6)] (7) “Financial assistance”, an amount of money paid by the state of Missouri to a qualified applicant under sections 173.1101 to 173.1107;

[(7)] (8) “Full-time student”, an individual who is enrolled in and is carrying a sufficient number of credit hours or their equivalent at an approved private, [or] public, **or virtual** institution to secure the degree or certificate toward which he or she is working in no more than the number of semesters or their equivalent normally required by that institution in the program in which the individual is enrolled. This definition shall be construed as the successor to subdivision (7) of section 173.205 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.205.

2. The failure of an approved virtual institution to continuously maintain all of the requirements in paragraphs (a) to (i) of subdivision (4) of subsection 1 of this section shall preclude such institution’s students or applicants from being eligible for assistance under sections 173.1104 and 173.1105.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only if, at the time of application and throughout the period during which the applicant is receiving such assistance, the applicant:

(1) Is a citizen or a permanent resident of the United States;

(2) Is a resident of the state of Missouri, as determined by reference to standards promulgated by the coordinating board;

(3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student in an approved private, [or] public, **or virtual** institution; and

(4) Is not enrolled or does not intend to use the award to enroll in a course of study leading to a degree in theology or divinity.

2. If an applicant is found guilty of or pleads guilty to any criminal offense during the period of time in which the applicant is receiving financial assistance, such applicant shall not be eligible for renewal of such assistance, provided such offense would disqualify the applicant from receiving federal student aid under Title IV of the Higher Education Act of 1965, as amended.

3. Financial assistance shall be allotted for one academic year, but a recipient shall be eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and five-tenths on a four-point scale, or the equivalent on another scale. This subsection shall be construed as the successor to section 173.215 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.215.

173.1105. 1. An applicant who is an undergraduate postsecondary student at an approved private, [or] public, **or virtual** institution and who meets the other eligibility criteria shall be eligible for financial assistance, with a minimum and maximum award amount as follows:

(1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:

(a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;

(b) Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri; and

(c) Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions;

(2) For the 2014-15 academic year and subsequent years:

(a) One thousand three hundred dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and

(b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri[, or;], approved private institutions, **or approved virtual institutions.**

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's payment from the A+ schools program or any successor program to it. For purposes of this subsection, the term "increment group" shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline established for the program upon the effective date of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.

173.1107. A recipient of financial assistance may transfer from one approved public [or], private, **or virtual** institution to another without losing eligibility for assistance under sections 173.1101 to 173.1107, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition, fees, or other charges under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund which may be attributed to the state grant to the coordinating board. The coordinating board will use these refunds to make additional awards under the provisions of sections 173.1101 to 173.1107."; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Kehoe assumed the Chair.

President Parson assumed the Chair.

Senator Nasheed offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for Senate Bill No. 328, Page 4, Section 172.280, Line 4, by striking “the state's only public research”; and further amend line 5, by striking “university and”; and

Further amend said bill, Page 11, Section 174.160, Line 1, by inserting after “174.160.” the following: **“1.”**; and

Further amend said bill and section, Page 12, Line 26, by inserting after all of said line the following:

“2. The provisions of subsection 1 of this section shall not go into effect in any year in which the state of Missouri fails to fully fund the Lincoln University annual land grant match.”.

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Romine, **SB 328**, with **SCS** and **SA 3** (pending), was placed on the Informal Calendar.

Senator Hoskins moved that **SB 395** be taken up for perfection, which motion prevailed.

On motion of Senator Hoskins, **SB 395** was declared perfected and ordered printed.

Senator Onder moved that **SB 67** be taken up for perfection, which motion prevailed.

Senator Onder offered **SS** for **SB 67**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 67

An Act to repeal sections 188.036, 188.047, 188.052, 188.055, 188.075, and 197.230, RSMo, and to enact in lieu thereof seven new sections relating to abortion, with penalty provisions.

Senator Onder moved that **SS** for **SB 67** be adopted.

Senator Hoskins assumed the Chair.

President Parson assumed the Chair.

Senator Hoskins offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 67, Page 1, Section A, Line 5 of said page, by inserting after all of said line the following:

“188.028. 1. Except in the case of a medical emergency, no person shall knowingly perform or induce an abortion upon a pregnant woman under the age of eighteen years unless:

(1) The attending physician has secured the informed written consent of the minor and one parent or guardian, and the consenting parent or guardian of the minor has notified any other custodial parent or guardian in writing prior to the securing of the informed written consent of the minor and one parent or guardian. For purposes of this subdivision, “custodial parent” means any parent of a minor

in a family in which the parents have not separated or dissolved their marriage, or any parent of a minor who has been awarded joint legal custody or joint physical custody of such minor by a court of competent jurisdiction. Notice shall not be required for any parent or guardian:

(a) Who has been found guilty of any offense in violation of chapter 565, relating to offenses against the person; chapter 566, relating to sexual offenses; chapter 567, relating to prostitution; chapter 568, relating to offenses against the family; or chapter 573, relating to pornography and related offenses, if a child was a victim;

(b) Who has been found guilty of any offense in any other state or foreign country, or under federal, tribal, or military jurisdiction if a child was a victim, which would be a violation of chapter 565, 566, 567, 568, or 573 if committed in this state;

(c) Who is listed on the child abuse or neglect central registry under sections 210.109 to 210.183 or on the sexual offender registry under sections 589.400 to 589.425;

(d) Against whom an order of protection has been issued, including a foreign order of protection given full faith and credit in this state under section 455.067;

(e) Whose custodial, parental, or guardianship rights have been terminated by a court of competent jurisdiction; or

(f) Whose whereabouts are unknown after reasonable inquiry, who is a fugitive from justice, who is habitually in an intoxicated or drugged condition, or who has been declared mentally incompetent or incapacitated by a court of competent jurisdiction; or

(2) The minor is emancipated and the attending physician has received the informed written consent of the minor; or

(3) The minor has been granted the right to self-consent to the abortion by court order pursuant to subsection 2 of this section, and the attending physician has received the informed written consent of the minor; or

(4) The minor has been granted consent to the abortion by court order, and the court has given its informed written consent in accordance with subsection 2 of this section, and the minor is having the abortion willingly, in compliance with subsection 3 of this section.

2. The right of a minor to self-consent to an abortion under subdivision (3) of subsection 1 of this section or court consent under subdivision (4) of subsection 1 of this section may be granted by a court pursuant to the following procedures:

(1) The minor or next friend shall make an application to the juvenile court which shall assist the minor or next friend in preparing the petition and notices required pursuant to this section. The minor or the next friend of the minor shall thereafter file a petition setting forth the initials of the minor; the age of the minor; the names and addresses of each parent, guardian, or, if the minor's parents are deceased and no guardian has been appointed, any other person standing in loco parentis of the minor; that the minor has been fully informed of the risks and consequences of the abortion; that the minor is of sound mind and has sufficient intellectual capacity to consent to the abortion; that, if the court does not grant the minor majority rights for the purpose of consent to the abortion, the court should find that the abortion is in the best interest of the

minor and give judicial consent to the abortion; that the court should appoint a guardian ad litem of the child; and if the minor does not have private counsel, that the court should appoint counsel. The petition shall be signed by the minor or the next friend;

(2) A hearing on the merits of the petition, to be held on the record, shall be held as soon as possible within five days of the filing of the petition. If any party is unable to afford counsel, the court shall appoint counsel at least twenty-four hours before the time of the hearing. At the hearing, the court shall hear evidence relating to the emotional development, maturity, intellect and understanding of the minor; the nature, possible consequences, and alternatives to the abortion; and any other evidence that the court may find useful in determining whether the minor should be granted majority rights for the purpose of consenting to the abortion or whether the abortion is in the best interests of the minor;

(3) In the decree, the court shall for good cause:

(a) Grant the petition for majority rights for the purpose of consenting to the abortion; or

(b) Find the abortion to be in the best interests of the minor and give judicial consent to the abortion, setting forth the grounds for so finding; or

(c) Deny the petition, setting forth the grounds on which the petition is denied;

(4) If the petition is allowed, the informed consent of the minor, pursuant to a court grant of majority rights, or the judicial consent, shall bar an action by the parents or guardian of the minor on the grounds of battery of the minor by those performing **or inducing** the abortion. The immunity granted shall only extend to the performance **or inducement** of the abortion in accordance herewith and any necessary accompanying services which are performed in a competent manner. The costs of the action shall be borne by the parties;

(5) An appeal from an order issued under the provisions of this section may be taken to the court of appeals of this state by the minor or by a parent or guardian of the minor. The notice of intent to appeal shall be given within twenty-four hours from the date of issuance of the order. The record on appeal shall be completed and the appeal shall be perfected within five days from the filing of notice to appeal. Because time may be of the essence regarding the performance **or inducement** of the abortion, the supreme court of this state shall, by court rule, provide for expedited appellate review of cases appealed under this section.

3. If a minor desires an abortion, then she shall be orally informed of and, if possible, sign the written consent required [by section 188.039] **under this chapter** in the same manner as an adult person. No abortion shall be performed **or induced** on any minor against her will, except that an abortion may be performed **or induced** against the will of a minor pursuant to a court order described in subdivision (4) of subsection 1 of this section that the abortion is necessary to preserve the life of the minor.”; and

Further amend the title and enacting clause accordingly.

Senator Hoskins moved that the above amendment be adopted.

At the request of Senator Onder, **SB 67**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 395**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 608, regarding Donald “Doc” Kritzer, Fulton, which was adopted.

Senator Hummel offered Senate Resolution No. 609, regarding Laurence Edwin “Larry” Lumpe, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 610, regarding Rose Marie Griggs, Saint Louis, which was adopted.

Senator Hummel offered Senate Resolution No. 611, regarding Charles F. “Charlie” Mikusch, Saint Louis, which was adopted.

Senator Romine offered Senate Resolution No. 612, regarding Janet L. Lashley, Belleview, which was adopted.

Senator Romine offered Senate Resolution No. 613, regarding Rebecca R. Forbes, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 614, regarding Phyllis Scott, Bismarck, which was adopted.

Senator Romine offered Senate Resolution No. 615, regarding Kenny Boyer, Cadet, which was adopted.

Senator Romine offered Senate Resolution No. 616, regarding Claudia M. Harper, Cadet, which was adopted.

Senator Onder offered Senate Resolution No. 617, regarding Michelle Pellegrino, Lake Saint Louis, which was adopted.

Senator Onder offered Senate Resolution No. 618, regarding Teddy G. “Ted” Richardson, O’Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 619, regarding Archie Lee Ripetto, O’Fallon, which was adopted.

Senator Kehoe offered Senate Resolution No. 620, regarding First Baptist Church, Syracuse, which was adopted.

Senator Kehoe offered Senate Resolution No. 621, regarding Donna J. Webster, Jefferson City, which was adopted.

Senator Schaaf offered Senate Resolution No. 622, regarding the Fiftieth Wedding Anniversary of Robert and Patricia McCammon, St. Joseph, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 7:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

SENATE BILLS FOR PERFECTION

Senator Onder moved that **SB 67**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SA 1 was again taken up.

Senator Sifton offered **SSA 1** for **SA 1**, entitled:

**SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1**

Amend Senate Substitute for Senate Bill No. 67, Page 1, Section A, Line 5, by inserting after all of said line the following:

“188.027. 1. Except in the case of medical emergency, no abortion shall be performed or induced on a woman without her voluntary and informed consent, given freely and without coercion. Consent to an abortion is voluntary and informed and given freely and without coercion if, and only if, at least seventy-two hours prior to the abortion:

(1) The physician who is to perform or induce the abortion or a qualified professional has informed the woman orally, reduced to writing, and in person, of the following:

(a) The name of the physician who will perform or induce the abortion;

(b) Medically accurate information that a reasonable patient would consider material to the decision of whether or not to undergo the abortion, including:

a. A description of the proposed abortion method;

b. The immediate and long-term medical risks to the woman associated with the proposed abortion method including, but not limited to, infection, hemorrhage, cervical tear or uterine perforation, harm to subsequent pregnancies or the ability to carry a subsequent child to term, and possible adverse psychological effects associated with the abortion; and

c. The immediate and long-term medical risks to the woman, in light of the anesthesia and medication that is to be administered, the unborn child’s gestational age, and the woman’s medical history and medical condition;

(c) Alternatives to the abortion which shall include making the woman aware that information and materials shall be provided to her detailing such alternatives to the abortion;

(d) A statement that the physician performing or inducing the abortion is available for any questions concerning the abortion, together with the telephone number that the physician may be later reached to answer any questions that the woman may have;

(e) [The location of the hospital that offers obstetrical or gynecological care located within thirty miles of the location where the abortion is performed or induced and at which the physician performing or inducing the abortion has clinical privileges and where the woman may receive follow-up care by the physician if complications arise;

(f)] The gestational age of the unborn child at the time the abortion is to be performed or induced; and

[(g)] (f) The anatomical and physiological characteristics of the unborn child at the time the abortion is to be performed or induced;

(2) The physician who is to perform or induce the abortion or a qualified professional has presented the woman, in person, printed materials provided by the department, which describe the probable anatomical and physiological characteristics of the unborn child at two-week gestational increments from conception to full term, including color photographs or images of the developing unborn child at two-week gestational increments. Such descriptions shall include information about brain and heart functions, the presence of external members and internal organs during the applicable stages of development and information on when the unborn child is viable. The printed materials shall prominently display the following statement: "The life of each human being begins at conception. Abortion will terminate the life of a separate, unique, living human being.";

(3) The physician who is to perform or induce the abortion or a qualified professional has presented the woman, in person, printed materials provided by the department, which describe the various surgical and drug-induced methods of abortion relevant to the stage of pregnancy, as well as the immediate and long-term medical risks commonly associated with each abortion method including, but not limited to, infection, hemorrhage, cervical tear or uterine perforation, harm to subsequent pregnancies or the ability to carry a subsequent child to term, and the possible adverse psychological effects associated with an abortion;

(4) The physician who is to perform or induce the abortion or a qualified professional shall provide the woman with the opportunity to view at least seventy-two hours prior to the abortion an active ultrasound of the unborn child and hear the heartbeat of the unborn child if the heartbeat is audible. The woman shall be provided with a geographically indexed list maintained by the department of health care providers, facilities, and clinics that perform ultrasounds, including those that offer ultrasound services free of charge. Such materials shall provide contact information for each provider, facility, or clinic including telephone numbers and, if available, website addresses. Should the woman decide to obtain an ultrasound from a provider, facility, or clinic other than the abortion facility, the woman shall be offered a reasonable time to obtain the ultrasound examination before the date and time set for performing or inducing an abortion. The person conducting the ultrasound shall ensure that the active ultrasound image is of a quality consistent with standard medical practice in the community, contains the dimensions of the unborn child, and accurately portrays the presence of external members and internal organs, if present or viewable, of the unborn child. The auscultation of fetal heart tone must also be of a quality consistent with standard medical practice in the community. If the woman chooses to view the ultrasound or hear the heartbeat or both at the abortion facility, the viewing or hearing or both shall be provided to her at the abortion facility at least seventy-two hours prior to the abortion being performed or induced;

(5) Prior to an abortion being performed or induced on an unborn child of twenty-two weeks gestational age or older, the physician who is to perform or induce the abortion or a qualified professional has presented the woman, in person, printed materials provided by the department that offer information on the possibility of the abortion causing pain to the unborn child. This information shall include, but need not be limited to, the following:

(a) At least by twenty-two weeks of gestational age, the unborn child possesses all the anatomical

structures, including pain receptors, spinal cord, nerve tracts, thalamus, and cortex, that are necessary in order to feel pain;

(b) A description of the actual steps in the abortion procedure to be performed or induced, and at which steps the abortion procedure could be painful to the unborn child;

(c) There is evidence that by twenty-two weeks of gestational age, unborn children seek to evade certain stimuli in a manner that in an infant or an adult would be interpreted as a response to pain;

(d) Anesthesia is given to unborn children who are twenty-two weeks or more gestational age who undergo prenatal surgery;

(e) Anesthesia is given to premature children who are twenty-two weeks or more gestational age who undergo surgery;

(f) Anesthesia or an analgesic is available in order to minimize or alleviate the pain to the unborn child;

(6) The physician who is to perform or induce the abortion or a qualified professional has presented the woman, in person, printed materials provided by the department explaining to the woman alternatives to abortion she may wish to consider. Such materials shall:

(a) Identify on a geographical basis public and private agencies available to assist a woman in carrying her unborn child to term, and to assist her in caring for her dependent child or placing her child for adoption, including agencies commonly known and generally referred to as pregnancy resource centers, crisis pregnancy centers, maternity homes, and adoption agencies. Such materials shall provide a comprehensive list by geographical area of the agencies, a description of the services they offer, and the telephone numbers and addresses of the agencies; provided that such materials shall not include any programs, services, organizations, or affiliates of organizations that perform or induce, or assist in the performing or inducing of, abortions or that refer for abortions;

(b) Explain the Missouri alternatives to abortion services program under section 188.325, and any other programs and services available to pregnant women and mothers of newborn children offered by public or private agencies which assist a woman in carrying her unborn child to term and assist her in caring for her dependent child or placing her child for adoption, including but not limited to prenatal care; maternal health care; newborn or infant care; mental health services; professional counseling services; housing programs; utility assistance; transportation services; food, clothing, and supplies related to pregnancy; parenting skills; educational programs; job training and placement services; drug and alcohol testing and treatment; and adoption assistance;

(c) Identify the state website for the Missouri alternatives to abortion services program under section 188.325, and any toll-free number established by the state operated in conjunction with the program;

(d) Prominently display the statement: “There are public and private agencies willing and able to help you carry your child to term, and to assist you and your child after your child is born, whether you choose to keep your child or place him or her for adoption. The state of Missouri encourages you to contact those agencies before making a final decision about abortion. State law requires that your physician or a qualified professional give you the opportunity to call agencies like these before you undergo an abortion.”;

(7) The physician who is to perform or induce the abortion or a qualified professional has presented the woman, in person, printed materials provided by the department explaining that the father of the unborn

child is liable to assist in the support of the child, even in instances where he has offered to pay for the abortion. Such materials shall include information on the legal duties and support obligations of the father of a child, including, but not limited to, child support payments, and the fact that paternity may be established by the father's name on a birth certificate or statement of paternity, or by court action. Such printed materials shall also state that more information concerning paternity establishment and child support services and enforcement may be obtained by calling the family support division within the Missouri department of social services; and

(8) The physician who is to perform or induce the abortion or a qualified professional shall inform the woman that she is free to withhold or withdraw her consent to the abortion at any time without affecting her right to future care or treatment and without the loss of any state or federally funded benefits to which she might otherwise be entitled.

2. All information required to be provided to a woman considering abortion by subsection 1 of this section shall be presented to the woman individually, in the physical presence of the woman and in a private room, to protect her privacy, to maintain the confidentiality of her decision, to ensure that the information focuses on her individual circumstances, to ensure she has an adequate opportunity to ask questions, and to ensure that she is not a victim of coerced abortion. Should a woman be unable to read materials provided to her, they shall be read to her. Should a woman need an interpreter to understand the information presented in the written materials, an interpreter shall be provided to her. Should a woman ask questions concerning any of the information or materials, answers shall be provided in a language she can understand.

3. No abortion shall be performed or induced unless and until the woman upon whom the abortion is to be performed or induced certifies in writing on a checklist form provided by the department that she has been presented all the information required in subsection 1 of this section, that she has been provided the opportunity to view an active ultrasound image of the unborn child and hear the heartbeat of the unborn child if it is audible, and that she further certifies that she gives her voluntary and informed consent, freely and without coercion, to the abortion procedure.

4. No abortion shall be performed or induced on an unborn child of twenty-two weeks gestational age or older unless and until the woman upon whom the abortion is to be performed or induced has been provided the opportunity to choose to have an anesthetic or analgesic administered to eliminate or alleviate pain to the unborn child caused by the particular method of abortion to be performed or induced. The administration of anesthesia or analgesics shall be performed in a manner consistent with standard medical practice in the community.

5. No physician shall perform or induce an abortion unless and until the physician has obtained from the woman her voluntary and informed consent given freely and without coercion. If the physician has reason to believe that the woman is being coerced into having an abortion, the physician or qualified professional shall inform the woman that services are available for her and shall provide her with private access to a telephone and information about such services, including but not limited to the following:

- (1) Rape crisis centers, as defined in section 455.003;
- (2) Shelters for victims of domestic violence, as defined in section 455.200; and
- (3) Orders of protection, pursuant to chapter 455.

6. No physician shall perform or induce an abortion unless and until the physician has received and

signed a copy of the form prescribed in subsection 3 of this section. The physician shall retain a copy of the form in the patient's medical record.

7. In the event of a medical emergency as provided by section 188.039, the physician who performed or induced the abortion shall clearly certify in writing the nature and circumstances of the medical emergency. This certification shall be signed by the physician who performed or induced the abortion, and shall be maintained under section 188.060.

8. No person or entity shall require, obtain, or accept payment for an abortion from or on behalf of a patient until at least seventy-two hours have passed since the time that the information required by subsection 1 of this section has been provided to the patient. Nothing in this subsection shall prohibit a person or entity from notifying the patient that payment for the abortion will be required after the seventy-two-hour period has expired if she voluntarily chooses to have the abortion.

9. The term "qualified professional" as used in this section shall refer to a physician, physician assistant, registered nurse, licensed practical nurse, psychologist, licensed professional counselor, or licensed social worker, licensed or registered under chapter 334, 335, or 337, acting under the supervision of the physician performing or inducing the abortion, and acting within the course and scope of his or her authority provided by law. The provisions of this section shall not be construed to in any way expand the authority otherwise provided by law relating to the licensure, registration, or scope of practice of any such qualified professional.

10. By November 30, 2010, the department shall produce the written materials and forms described in this section. Any written materials produced shall be printed in a typeface large enough to be clearly legible. All information shall be presented in an objective, unbiased manner designed to convey only accurate scientific and medical information. The department shall furnish the written materials and forms at no cost and in sufficient quantity to any person who performs or induces abortions, or to any hospital or facility that provides abortions. The department shall make all information required by subsection 1 of this section available to the public through its department website. The department shall maintain a toll-free, twenty-four-hour hotline telephone number where a caller can obtain information on a regional basis concerning the agencies and services described in subsection 1 of this section. No identifying information regarding persons who use the website shall be collected or maintained. The department shall monitor the website on a regular basis to prevent tampering and correct any operational deficiencies.

11. In order to preserve the compelling interest of the state to ensure that the choice to consent to an abortion is voluntary and informed, and given freely and without coercion, the department shall use the procedures for adoption of emergency rules under section 536.025 in order to promulgate all necessary rules, forms, and other necessary material to implement this section by November 30, 2010.

12. If the provisions in subsections 1 and 8 of this section requiring a seventy-two-hour waiting period for an abortion are ever temporarily or permanently restrained or enjoined by judicial order, then the waiting period for an abortion shall be twenty-four hours; provided, however, that if such temporary or permanent restraining order or injunction is stayed or dissolved, or otherwise ceases to have effect, the waiting period for an abortion shall be seventy-two hours.

188.028. 1. **Except in the case of a medical emergency**, no person shall knowingly perform **or induce** an abortion upon a pregnant woman under the age of eighteen years unless:

- (1) The attending physician has secured the informed written consent of the minor and one parent or guardian; or
- (2) The minor is emancipated and the attending physician has received the informed written consent of the minor; or
- (3) The minor has been granted the right to self-consent to the abortion by court order pursuant to subsection 2 of this section, and the attending physician has received the informed written consent of the minor; or
- (4) The minor has been granted consent to the abortion by court order, and the court has given its informed written consent in accordance with subsection 2 of this section, and the minor is having the abortion willingly, in compliance with subsection 3 of this section.

2. The right of a minor to self-consent to an abortion under subdivision (3) of subsection 1 of this section or court consent under subdivision (4) of subsection 1 of this section may be granted by a court pursuant to the following procedures:

(1) The minor or next friend shall make an application to the juvenile court which shall assist the minor or next friend in preparing the petition and notices required pursuant to this section. The minor or the next friend of the minor shall thereafter file a petition setting forth the initials of the minor; the age of the minor; the names and addresses of each parent, guardian, or, if the minor's parents are deceased and no guardian has been appointed, any other person standing in loco parentis of the minor; that the minor has been fully informed of the risks and consequences of the abortion; that the minor is of sound mind and has sufficient intellectual capacity to consent to the abortion; that, if the court does not grant the minor majority rights for the purpose of consent to the abortion, the court should find that the abortion is in the best interest of the minor and give judicial consent to the abortion; that the court should appoint a guardian ad litem of the child; and if the minor does not have private counsel, that the court should appoint counsel. The petition shall be signed by the minor or the next friend;

(2) A hearing on the merits of the petition, to be held on the record, shall be held as soon as possible within five days of the filing of the petition. If any party is unable to afford counsel, the court shall appoint counsel at least twenty-four hours before the time of the hearing. At the hearing, the court shall hear evidence relating to the emotional development, maturity, intellect and understanding of the minor; the nature, possible consequences, and alternatives to the abortion; and any other evidence that the court may find useful in determining whether the minor should be granted majority rights for the purpose of consenting to the abortion or whether the abortion is in the best interests of the minor;

(3) In the decree, the court shall for good cause:

- (a) Grant the petition for majority rights for the purpose of consenting to the abortion; or
- (b) Find the abortion to be in the best interests of the minor and give judicial consent to the abortion, setting forth the grounds for so finding; or
- (c) Deny the petition, setting forth the grounds on which the petition is denied;

(4) If the petition is allowed, the informed consent of the minor, pursuant to a court grant of majority rights, or the judicial consent, shall bar an action by the parents or guardian of the minor on the grounds of battery of the minor by those performing **or inducing** the abortion. The immunity granted shall only extend

to the performance **or inducement** of the abortion in accordance herewith and any necessary accompanying services which are performed in a competent manner. The costs of the action shall be borne by the parties;

(5) An appeal from an order issued under the provisions of this section may be taken to the court of appeals of this state by the minor or by a parent or guardian of the minor. The notice of intent to appeal shall be given within twenty-four hours from the date of issuance of the order. The record on appeal shall be completed and the appeal shall be perfected within five days from the filing of notice to appeal. Because time may be of the essence regarding the performance **or inducement** of the abortion, the supreme court of this state shall, by court rule, provide for expedited appellate review of cases appealed under this section.

3. If a minor desires an abortion, then she shall be orally informed of and, if possible, sign the written consent required [by section 188.039] **under this chapter** in the same manner as an adult person. No abortion shall be performed **or induced** on any minor against her will, except that an abortion may be performed **or induced** against the will of a minor pursuant to a court order described in subdivision (4) of subsection 1 of this section that the abortion is necessary to preserve the life of the minor.”; and

Further amend said bill, page 9, Section 188.075, line 19, by inserting after all of said line the following:

“188.080. Any person who is not a physician who performs or induces or attempts to perform or induce an abortion on another is guilty of a class B felony, and, upon conviction, shall be punished as provided by law. [Any physician performing or inducing an abortion who does not have clinical privileges at a hospital which offers obstetrical or gynecological care located within thirty miles of the location at which the abortion is performed or induced shall be guilty of a class A misdemeanor, and, upon conviction shall be punished as provided by law.]”; and

Further amend said bill, page 12, Section 188.160, line 25, by inserting after all of said line the following:

“197.200. As used in sections 197.200 to 197.240, unless the context clearly indicates otherwise, the following terms mean:

(1) “Ambulatory surgical center”, any public or private establishment operated primarily for the purpose of performing surgical procedures or primarily for the purpose of performing childbirths, [or any establishment operated for the purpose of performing or inducing any second or third-trimester abortions or five or more first-trimester abortions per month,] and which does not provide services or other accommodations for patients to stay more than twenty-three hours within the establishment, provided, however, that nothing in this definition shall be construed to include the offices of dentists currently licensed pursuant to chapter 332 **or facilities that are operated primarily for the purpose of providing abortions**;

(2) “Dentist”, any person currently licensed to practice dentistry pursuant to chapter 332;

(3) “Department”, the department of health and senior services;

(4) “Governmental unit”, any city, county or other political subdivision of this state, or any department, division, board or other agency of any political subdivision of this state;

(5) “Person”, any individual, firm, partnership, corporation, company, or association and the legal successors thereof;

(6) “Physician”, any person currently licensed to practice medicine pursuant to chapter 334;

(7) “Podiatrist”, any person currently licensed to practice podiatry pursuant to chapter 330.”; and

Further amend said bill, pages 12-14, Section 197.230, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that **SSA 1** for **SA 1** be adopted.

Senator Hoskins requested a roll call vote be taken on the adoption of **SSA 1** for **SA 1**. He was joined in his request by Senators Munzlinger, Onder, Riddle and Sater.

Senator Kraus assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Onder, **SB 67**, with **SS**, **SA 1** and **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

INTRODUCTION OF GUESTS

Senator Brown introduced to the Senate, Shane Lawson, Daniel Westfall, Tevin Williams, Morgan Fryman, Kyara Holloway, and Melissa Apley, University of Missouri Undergraduate Research Team.

Senator Richard introduced to the Senate, Kolton Sanders, Dalton Kivett, Trenton Young, Gannon Millard, Braxton Barnes, Kyle Sanders, Joey Williams, Johnny Meyer, Zachary Plummer, Christian Nutz and Adrian Hitchcock, 2017 Class 3 State Champion Neosho Wrestling team.

Senator Rowden introduced to the Senate, Madeline Simon and Emily Shaw, University of Missouri Undergraduate Research Team.

Senator Rowden introduced to the Senate, the Physician of the Day, Dr. Joshua Hamann, MD, Columbia.

Senator Cunningham introduced to the Senate, Caroline Dunn, Houston.

Senator Nasheed introduced to the Senate, Pastor Elder Veronica J. Richardson, Southern Union Missionary Baptist Church, St. Louis.

Senator Dixon introduced to the Senate, Joe Novak and Pat Bezdek, Springfield.

Senator Libla introduced to the Senate, Herman Styles, Poplar Bluff; Bob Bonney, Elsberry; Howard Helgenberg, St. Louis; and Howard Beck, Rock Island, Illinois.

Senator Emery introduced to the Senate, Living Faith Mennonite School, Walker.

The President introduced to the Senate, John Gideon and Ryan Southard, Lebanon.

Senator Kehoe introduced to the Senate, Alayna Backes, Mackenzie Jones, Addisyn Nilges, Natalie Wilbers, Amelia Carwile, Lily Kempker, Taylor Bax, Azlyn Luebbert, Ava Kremer and Grace Borgmeyer, Girl Scout Troop 71047, Immaculate Conception School, Loose Creek.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FORTY-NINTH DAY—WEDNESDAY, APRIL 5, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 275
HCS#2 for HB 502
HCS for HB 142

HCS for HB 340
HCS for HB 780
HCS for HB 573

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal
(In Fiscal Oversight)
SS for SCS for SB 213-Rowden
SB 18-Kraus (In Fiscal Oversight)

SCS for SB 84-Kraus
SB 434-Sater
SCS for SB 240-Schatz (In Fiscal Oversight)
SB 395-Hoskins

SENATE BILLS FOR PERFECTION

SB 469-Schatz
SB 517-Wasson
SB 435-Cunningham, with SCS

SB 451-Nasheed
SB 419-Riddle
SB 264-Dixon

HOUSE BILLS ON THIRD READING

1. HB 34-Plocher (Dixon)
2. HCS for HBs 1194 & 1193 (Hegeman)
3. HB 462-Kolkmeyer (Munzlinger)
4. HB 461-Kolkmeyer (Munzlinger)
5. HCS for HB 460 (Munzlinger)
6. HB 93-Lauer, with SCS (Wasson) (In Fiscal Oversight)
7. HCS for HB 115, with SCS (Wasson)
8. HB 655-Engler (Dixon) (In Fiscal Oversight)

9. HB 35-Plocher (Dixon)
10. HCS for HBs 91, 42, 131, 265 & 314 (Brown)
11. HCS for HB 66, with SCS (Sater) (In Fiscal Oversight)
12. HCS for HBs 190 & 208 (Eigel)
13. HCS for HB 451 (Wasson)
14. HB 51-Andrews, with SCS (Hegeman)
15. HCS for HB 292, with SCS (Cunningham)
16. HCS for HBs 337, 259 & 575 (Schatz)

17. HB 336-Shull (Rowden)
 18. HCS for HB 427, with SCS (Kehoe)
 19. HB 85-Redmon, with SCS (Hegeman)

20. HB 207-Fitzwater (Romine)
 21. HCS for HB 14, with SCS (Brown)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
 SB 6-Richard, with SCS
 SB 13-Dixon
 SB 20-Brown
 SB 21-Brown
 SB 28-Sater, with SCS (pending)
 SB 32-Emery, with SCS
 SBs 37 & 244-Silvey, with SCS, SS for
 SCS & SA 1 (pending)
 SB 41-Wallingford and Emery, with SS,
 SA 1 & SA 1 to SA 1 (pending)
 SBs 44 & 63-Romine, with SCS
 SB 46-Libla, with SCS
 SB 49-Walsh, with SCS
 SB 61-Hegeman, with SCS
 SB 67-Onder, et al, with SS, SA 1 &
 SSA 1 for SA 1 (pending)
 SB 68-Onder and Nasheed
 SB 76-Munzlinger
 SB 80-Wasson, with SCS
 SB 81-Dixon
 SB 83-Dixon
 SB 85-Kraus, with SCS
 SB 88-Brown, with SCS
 SB 96-Sater and Emery
 SB 97-Sater, with SCS
 SB 99-Emery
 SB 102-Cunningham, with SCS
 SB 103-Wallingford
 SB 109-Holsman, with SCS
 SB 115-Schupp, with SCS

SB 117-Schupp, with SCS
 SB 122-Munzlinger, with SCS
 SB 123-Munzlinger
 SB 126-Wasson
 SB 129-Dixon and Sifton, with SCS
 SB 130-Kraus, with SCS
 SB 133-Chappelle-Nadal
 SB 138-Sater
 SB 141-Emery
 SB 142-Emery
 SB 144-Wallingford
 SB 145-Wallingford, with SCS
 SB 147-Romine
 SB 156-Munzlinger, with SCS
 SB 157-Dixon, with SCS
 SB 158-Dixon
 SB 163-Romine
 SB 169-Dixon, with SCS
 SB 171-Dixon and Sifton, with SCS
 SB 176-Dixon
 SB 177-Dixon, with SCS
 SB 178-Dixon
 SB 180-Nasheed, with SCS
 SB 183-Hoskins, with SCS
 SB 184-Emery, with SS (pending)
 SB 185-Onder, et al, with SCS
 SB 188-Munzlinger, with SCS
 SB 189-Kehoe, with SCS
 SB 190-Emery, with SCS & SS#2 for SCS
 (pending)
 SB 196-Koenig

SB 199-Wasson	SB 303-Wieland, with SCS
SB 200-Libla	SB 311-Wasson, with SCS
SB 201-Onder, with SCS	SB 313-Koenig, with SCS, SS for SCS, SA 1 & SSA 1 for SA 1 (pending)
SB 203-Sifton, with SCS	SBs 314 & 340-Schatz, et al, with SCS
SB 204-Sifton	SB 316-Rowden, with SCS
SB 207-Sifton	SB 325-Kraus
SB 209-Wallingford	SBs 327, 238 & 360-Romine, with SCS
SB 210-Onder, with SCS	SB 328-Romine, with SCS & SA 3 (pending)
SB 220-Riddle, with SCS	SB 330-Munzlinger
SB 221-Riddle	SB 331-Hegeman
SB 223-Schatz, with SCS	SB 333-Schaaf, with SCS
SB 227-Koenig, with SCS	SB 336-Wieland
SB 228-Koenig, with SS & SA 1 (pending)	SB 348-Wasson
SB 230-Riddle	SB 349-Wasson
SB 232-Schatz	SB 358-Wieland
SB 233-Wallingford	SB 362-Hummel
SB 234-Libla, with SCS	SB 368-Rowden
SB 239-Rowden, with SCS	SB 371-Schaaf
SB 242-Emery, with SCS	SB 373-Curls
SB 243-Hegeman	SB 376-Hoskins
SB 247-Kraus, with SCS	SB 378-Wallingford
SB 250-Kehoe	SB 379-Schatz
SB 252-Dixon, with SCS	SB 381-Riddle
SB 258-Munzlinger	SB 383-Eigel and Wieland
SB 259-Munzlinger	SB 384-Rowden, with SCS
SB 260-Munzlinger	SB 389-Sater, with SCS
SB 261-Munzlinger	SB 391-Munzlinger
SB 262-Munzlinger	SB 392-Holsman
SB 263-Riddle	SB 406-Wasson and Sater
SB 267-Schatz, with SCS	SB 409-Koenig
SB 271-Wasson and Richard, with SCS	SB 410-Schatz
SB 280-Hoskins, with SCS	SB 413-Munzlinger
SB 284-Hegeman, with SCS	SB 418-Hegeman, with SCS
SBs 285 & 17-Koenig, with SCS	SB 422-Cunningham, with SCS
SB 286-Rizzo	SB 426-Wasson, with SCS
SB 290-Schatz, with SCS	SB 427-Wasson
SB 295-Schaaf, with SCS	SB 430-Cunningham, with SCS
SB 298-Curls	

SB 433-Sater, with SCS
 SB 442-Hegeman
 SB 445-Rowden
 SB 448-Emery
 SB 468-Hegeman
 SB 475-Schatz
 SB 485-Hoskins

SB 490-Schupp
 SB 526-Brown
 SJR 9-Romine, with SCS
 SJR 11-Hegeman, with SCS
 SJR 12-Eigel
 SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)
 HCS for HB 130, with SCS, SS for SCS &
 SA 6 (pending) (Onder)

HB 251-Taylor, with SCS, SS for SCS, SA 2 &
 SA 3 to SA 2 (pending) (Onder)
 HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/15

SB 399-Romine, with SCS

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe
 SCR 9-Holsman

SCR 14-Hoskins
 SCR 21-Wallingford

Journal of the Senate

FIRST REGULAR SESSION

FORTY-NINTH DAY—WEDNESDAY, APRIL 5, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Cast your burden on the Lord, and he will sustain you; he will never permit the righteous to be moved.” (Psalm 55:22)

Heavenly Father we cry to You as we see about us those things and people who bring sorrow and pain. So we pray for You to pour wisdom and mercy upon us so we might be the servant You desire us to be. And as we serve You here in the Senate, may we do what we can do that can bring relief and help to those in need and deal with those who bring evil among us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 623, regarding Samantha Sophie Cary, Saint Charles, which was adopted.

Senator Silvey requested unanimous consent of the Senate, that in honor of American Cancer Society's "Wear Your Suits & Sneakers Day", members be allowed to wear sneakers on the Senate Floor during session, which request was denied.

SENATE BILLS FOR PERFECTION

Senator Curls moved that **SB 373** be taken up for perfection, which motion prevailed.

At the request of Senator Curls, **SB 373** was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

SENATE BILLS FOR PERFECTION

Senator Curls moved that **SB 373** be again taken up for perfection, which motion prevailed.

Senator Wallingford offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 373, Page 1, In the Title, Lines 2-3, by striking the words "the Missouri senior farmers' market nutrition program" and inserting in lieu thereof the following: "seniors"; and

Further amend said bill and page, section A, line 2, by inserting after all of said line the following:

"192.385. 1. There is hereby established in the department of health and senior services the "Senior Services Growth and Development Program" to provide additional funding for senior services provided through the area agencies on aging in this state.

2. Beginning January 1, 2018, two and one-half percent, and beginning January 1, 2019, and each year thereafter, five percent of the premium tax collected under sections 148.320 and 148.370, excluding any moneys to be transferred to the state school moneys fund as described in section 148.360, shall be deposited in the fund created in subsection 3 of this section.

3. (1) There is hereby created in the state treasury the "Senior Services Growth and Development Program Fund", which shall consist of moneys collected under this section. The director of the department of revenue shall collect the moneys described in subsection 2 of this section and shall remit such moneys to the state treasurer for deposit in the fund, less one percent for the cost of collection. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely by the department of health and senior services for enhancing senior services provided by area agencies on aging in this state.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the

fund at the end of the biennium shall not revert to the credit of the general revenue fund. This fund is not intended to supplant general revenue provided for senior services.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The department of health and senior services shall disburse the moneys from the fund to the area agencies on aging in accordance with the funding formula used by the department to disburse other federal and state moneys to the area agencies on aging.

5. At least fifty percent of all moneys distributed under this section shall be applied by area agencies on aging to the development and expansion of senior center programs, facilities, and services.

6. All area agencies on aging shall report, either individually or as an association, annually to the department of health and senior services, the department of insurance, financial institutions, and professional registration, and the general assembly on the distribution and use of moneys under this section. The board of directors and the advisory board of each area agency on aging shall be responsible for ensuring the proper use and distribution of such moneys.

7. The department of health and senior services may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.”; and

Further amend the title and enacting clause accordingly.

Senator Wallingford moved that the above amendment be adopted.

Senator Brown raised the point of order that **SA 1** goes beyond the scope of the bill. The point of order was referred to the President Pro Tem who took it under advisement, which placed **SB 373**, with **SA 1** and the point of order (pending), on the Informal Calendar.

Senator Riddle moved that **SB 220**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 220**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 220

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to time limitations for filing claims which arise out of a defective or unsafe condition of a product.

Was taken up.

Senator Riddle moved that **SCS** for **SB 220** be adopted.

Senator Riddle offered **SS** for **SCS** for **SB 220**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 220

An Act to amend chapter 516, RSMo, by adding thereto one new section relating to time limitations for filing claims which arise out of a defective or unsafe condition of a product.

Senator Riddle moved that **SS** for **SCS** for **SB 220** be adopted.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Riddle, **SB 220**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 624, regarding Eagle Scout Matthew Hassbaum, Barnhart, which was adopted.

Senator Hoskins offered Senate Resolution No. 625, regarding Colette Ellen Tilden, Warrensburg, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 626, regarding Kailyn Marie Deavens, Hazelwood, which was adopted.

Senator Schatz offered Senate Resolution No. 627, regarding Caroline Finnell, Chesterfield, which was adopted.

Senator Schatz offered Senate Resolution No. 628, regarding Lewis Roger “Lew” Crist, Wildwood, which was adopted.

Senator Sifton offered Senate Resolution No. 629, regarding Kayla Brown, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 630, regarding Rea Bedalli, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 631, regarding Alyssa Boning, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 632, regarding Breanna Colombo, Saint Louis, which was adopted.

Senator Emery offered Senate Resolution No. 633, regarding Phil Couch, which was adopted.

Senator Kehoe offered Senate Resolution No. 634, regarding Judith Deel, Jefferson City, which was adopted.

Senator Schatz offered Senate Resolution No. 635, regarding Grace Rachel Koch, Washington, which was adopted.

Senator Schatz offered Senate Resolution No. 636, regarding Shelbie Dawn Dallas, Union, which was

adopted.

Senator Schatz offered Senate Resolution No. 637, regarding Sloane Catherine Dallas, Union, which was adopted.

Senator Schatz offered Senate Resolution No. 638, regarding Sanika Nanda, Wildwood, which was adopted.

Senator Wieland offered Senate Resolution No. 639, regarding Olivia Marie Money, Arnold, which was adopted.

INTRODUCTION OF GUESTS

Senator Riddle introduced to the Senate, Jan Reyes; and Baylor Webb, Annie Bonderer, Alex Armstrong and Julia Mendez, representatives of Student Government Day, Fulton High School.

Senator Kraus introduced to the Senate, teachers and junior government students from Oak Grove High School.

Senator Richard introduced to the Senate, Victoria Marie Blackman, Poplar Bluff; Sierra Blankenship, St. Charles; Kareesha Janae Boyington, Joplin; Eric Cowan, Springfield; Catryn Kelley, Hollister; Jacob Rogers, Sedalia; KaeShawn Smith, Kansas City; William Turner, Knob Noster; Delaney Joy White, Jefferson City; and Jalisa Wines, St. Louis; Boys and Girls Clubs of America National Youth of the Year program finalists.

Senator Emery introduced to the Senate, the Physician of the Day, Dr. Curtis Long, Butler.

Senator Cunningham introduced to the Senate, Zeke Webb, Emily Nix, Liliya Dudko, Avery Traver, Maggie Hiatt and Brenda Hewitt, representatives of Student Government Day, Willow Springs; and Emily, Liliya and Zeke were made honorary pages.

Senator Curls introduced to the Senate, Jackson County Executive Frank White, Jr., and Caleb Clifford.

Senator Wallingford introduced to the Senate, students from Southeast Missouri State University.

Senator Kehoe introduced to the Senate, members of the Missouri Asphalt Pavers Association.

Senator Libla introduced to the Senate, Harold Miles, Paula Miles and Keri Jenkins, Advance; and Megan Stuever, Dexter.

Senator Schupp introduced to the Senate, Kim Harrelson, St. Charles; Sherri King, Becky Cowman and Karah Chapman, Kansas City; Kim Moore, Columbia; and Katya Sussman, Creve Coeur.

Senator Walsh introduced to the Senate, Mayor Reggie Jones, Dellwood.

Senator Chappelle-Nadal introduced to the Senate, Brenna Whitehurst, Jaclyn Terbrock, Shea Lanaghan and Danielle Christopher.

Senator Cunningham introduced to the Senate, Chief Keith Follin, Roby Fire Department.

Senator Kehoe introduced to the Senate, Paris Lewis; and Delaney White and her mother, Dee, Jefferson City.

Senator Schaaf introduced to the Senate, Charlie and Nina Pasentino, and eighth-grade students from St. Therese School, Kansas City; and Anna Cernich, Grant Stathopoulos and Sage Nichols were made honorary pages.

On behalf of Senators Silvey, Walsh, Eigel and Munzlinger, Senator Holsman introduced to the Senate, Brooke Rowe, Miss Missouri Junior Teen; Libby Carpenter, Miss Heartland Princess; Bridget Caldwell, Miss Missouri Princess; Rachel Locke, Miss Heartland Junior Teen; and Anna Owen, Miss Missouri Preteen; and Brooke, Libby, Bridget, Rachel and Anna were made honorary pages.

On behalf of Senator Silvey, Senator Holsman introduced to the Senate, Pam Kelley, and Bre, Camden and Presten Tyrell, Kansas City; and Pam and Presten were made honorary pages.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTIETH DAY—THURSDAY, APRIL 6, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 275
HCS#2 for HB 502
HCS for HB 142

HCS for HB 340
HCS for HB 780
HCS for HB 573

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal
(In Fiscal Oversight)
SS for SCS for SB 213-Rowden
SB 18-Kraus (In Fiscal Oversight)

SCS for SB 84-Kraus
SB 434-Sater
SCS for SB 240-Schatz (In Fiscal Oversight)
SB 395-Hoskins

SENATE BILLS FOR PERFECTION

SB 469-Schatz
SB 517-Wasson
SB 435-Cunningham, with SCS

SB 451-Nasheed
SB 419-Riddle
SB 264-Dixon

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HB 34-Plocher (Dixon) | 11. HCS for HB 66, with SCS (Sater)
(In Fiscal Oversight) |
| 2. HCS for HBs 1194 & 1193 (Hegeman) | 12. HCS for HBs 190 & 208 (Eigel) |
| 3. HB 462-Kolkmeyer (Munzlinger) | 13. HCS for HB 451 (Wasson) |
| 4. HB 461-Kolkmeyer (Munzlinger) | 14. HB 51-Andrews, with SCS (Hegeman) |
| 5. HCS for HB 460 (Munzlinger) | 15. HCS for HB 292, with SCS (Cunningham) |
| 6. HB 93-Lauer, with SCS (Wasson)
(In Fiscal Oversight) | 16. HCS for HBs 337, 259 & 575 (Schatz) |
| 7. HCS for HB 115, with SCS (Wasson) | 17. HB 336-Shull (Rowden) |
| 8. HB 655-Engler (Dixon)
(In Fiscal Oversight) | 18. HCS for HB 427, with SCS (Kehoe) |
| 9. HB 35-Plocher (Dixon) | 19. HB 85-Redmon, with SCS (Hegeman) |
| 10. HCS for HBs 91, 42, 131, 265 & 314
(Brown) | 20. HB 207-Fitzwater (Romine) |
| | 21. HCS for HB 14, with SCS (Brown) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|-----------------------------------|
| SB 5-Richard | SB 81-Dixon |
| SB 6-Richard, with SCS | SB 83-Dixon |
| SB 13-Dixon | SB 85-Kraus, with SCS |
| SB 20-Brown | SB 88-Brown, with SCS |
| SB 21-Brown | SB 96-Sater and Emery |
| SB 28-Sater, with SCS (pending) | SB 97-Sater, with SCS |
| SB 32-Emery, with SCS | SB 99-Emery |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | SB 102-Cunningham, with SCS |
| SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending) | SB 103-Wallingford |
| SBs 44 & 63-Romine, with SCS | SB 109-Holsman, with SCS |
| SB 46-Libla, with SCS | SB 115-Schupp, with SCS |
| SB 49-Walsh, with SCS | SB 117-Schupp, with SCS |
| SB 61-Hegeman, with SCS | SB 122-Munzlinger, with SCS |
| SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending) | SB 123-Munzlinger |
| SB 68-Onder and Nasheed | SB 126-Wasson |
| SB 76-Munzlinger | SB 129-Dixon and Sifton, with SCS |
| SB 80-Wasson, with SCS | SB 130-Kraus, with SCS |
| | SB 133-Chappelle-Nadal |
| | SB 138-Sater |
| | SB 141-Emery |

SB 142-Emery	SB 239-Rowden, with SCS
SB 144-Wallingford	SB 242-Emery, with SCS
SB 145-Wallingford, with SCS	SB 243-Hegeman
SB 147-Romine	SB 247-Kraus, with SCS
SB 156-Munzlinger, with SCS	SB 250-Kehoe
SB 157-Dixon, with SCS	SB 252-Dixon, with SCS
SB 158-Dixon	SB 258-Munzlinger
SB 163-Romine	SB 259-Munzlinger
SB 169-Dixon, with SCS	SB 260-Munzlinger
SB 171-Dixon and Sifton, with SCS	SB 261-Munzlinger
SB 176-Dixon	SB 262-Munzlinger
SB 177-Dixon, with SCS	SB 263-Riddle
SB 178-Dixon	SB 267-Schatz, with SCS
SB 180-Nasheed, with SCS	SB 271-Wasson and Richard, with SCS
SB 183-Hoskins, with SCS	SB 280-Hoskins, with SCS
SB 184-Emery, with SS (pending)	SB 284-Hegeman, with SCS
SB 185-Onder, et al, with SCS	SBs 285 & 17-Koenig, with SCS
SB 188-Munzlinger, with SCS	SB 286-Rizzo
SB 189-Kehoe, with SCS	SB 290-Schatz, with SCS
SB 190-Emery, with SCS & SS#2 for SCS (pending)	SB 295-Schaaf, with SCS
SB 196-Koenig	SB 298-Curls
SB 199-Wasson	SB 303-Wieland, with SCS
SB 200-Libla	SB 311-Wasson, with SCS
SB 201-Onder, with SCS	SB 313-Koenig, with SCS, SS for SCS, SA 1 & SSA 1 for SA 1 (pending)
SB 203-Sifton, with SCS	SBs 314 & 340-Schatz, et al, with SCS
SB 204-Sifton	SB 316-Rowden, with SCS
SB 207-Sifton	SB 325-Kraus
SB 209-Wallingford	SBs 327, 238 & 360-Romine, with SCS
SB 210-Onder, with SCS	SB 328-Romine, with SCS, with SCS & SA 3 (pending)
SB 220-Riddle, with SCS & SS for SCS (pending)	SB 330-Munzlinger
SB 221-Riddle	SB 331-Hegeman
SB 223-Schatz, with SCS	SB 333-Schaaf, with SCS
SB 227-Koenig, with SCS	SB 336-Wieland
SB 228-Koenig, with SS & SA 1 (pending)	SB 348-Wasson
SB 230-Riddle	SB 349-Wasson
SB 232-Schatz	SB 358-Wieland
SB 233-Wallingford	SB 362-Hummel
SB 234-Libla, with SCS	SB 368-Rowden

SB 371-Schaaf	SB 422-Cunningham, with SCS
SB 373-Curls, with SA 1 & point of order (pending)	SB 426-Wasson, with SCS
SB 376-Hoskins	SB 427-Wasson
SB 378-Wallingford	SB 430-Cunningham, with SCS
SB 379-Schatz	SB 433-Sater, with SCS
SB 381-Riddle	SB 442-Hegeman
SB 383-Eigel and Wieland	SB 445-Rowden
SB 384-Rowden, with SCS	SB 448-Emery
SB 389-Sater, with SCS	SB 468-Hegeman
SB 391-Munzlinger	SB 475-Schatz
SB 392-Holsman	SB 485-Hoskins
SB 406-Wasson and Sater	SB 490-Schupp
SB 409-Koenig	SB 526-Brown
SB 410-Schatz	SJR 9-Romine, with SCS
SB 413-Munzlinger	SJR 11-Hegeman, with SCS
SB 418-Hegeman, with SCS	SJR 12-Eigel
	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)	HB 251-Taylor, with SCS, SS for SCS,
HCS for HB 130, with SCS, SS for SCS & SA 6 (pending) (Onder)	SA 2 & SA 3 to SA 2 (pending) (Onder)
	HCS for HBs 302 & 228, with SCS (Schatz)

CONSENT CALENDAR

Senate Bills

Reported 3/15

SB 399-Romine, with SCS

House Bills

Reported 3/15

HCS for HB 50, with SCS (Dixon)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe

SCR 14-Hoskins

SCR 9-Holsman

SCR 21-Wallingford

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Journal of the Senate

FIRST REGULAR SESSION

FIFTIETH DAY—THURSDAY, APRIL 6, 2017

The Senate met pursuant to adjournment.

Senator Kraus in the Chair.

Reverend Carl Gauck offered the following prayer:

“True faith does not contradict its words by its conduct.” (Unknown)

Almighty God: We like to think of ourselves as a people of faith and practice our faith in what we do and say both here and at home. Grant that our actions and words do not contradict our faith in You and that it shows itself with those we love and who love us, remaining open to Your prompting. We give You thanks for watching our going out and our coming in bringing us safely home to enjoy our time there. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Onder, Chairman of the Committee on General Laws, submitted the following reports:

Mr. President: Your Committee on General Laws, to which was referred **HCB 3**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HB 104**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on General Laws, to which was referred **HCS** for **HBs 339** and **714**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **SB 18**; **SCS** for **SB 240**; **HCS** for **HB 66**, with **SCS**; **HB 93**, with **SCS**; and **HB 655**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Kraus assumed the Chair.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments and reappointment, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Darryl M. Chatman, Democrat; Jamie L. Farmer, Republican; and Jeffrey L. Layman, Republican, as members of the University of Missouri Board of Curators;

Also,

James Timothy Bean, as State Fire Marshal;

Also,

Carol Silvey, Independent and Craig D. Frazier, Republican, as members of the Missouri State University Board of Governors; and

James M. Howerton, Republican; John D. Reece, Democrat; and Ashley McCarty, Democrat, as members of the Clean Water Commission.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments and reappointment, which motion prevailed.

THIRD READING OF SENATE BILLS

SS for SCS for SB 213, introduced by Senator Rowden, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 213

An Act to amend chapter 537, RSMo, by adding thereto one new section relating to time-limited offers to settle tort claims.

Was taken up.

Senator Wallingford assumed the Chair.

On motion of Senator Rowden, **SS for SCS for SB 213** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schaaf	Schatz	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Walsh—9					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Rowden, title to the bill was agreed to.

Senator Rowden moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 18, introduced by Senator Kraus, entitled:

An Act to repeal sections 1.310, 143.173, 347.015, 347.179, 351.015, 351.065, 354.010, 354.150, 355.021, 355.066, 357.060, 358.020, 358.440, 359.011, 359.651, 394.020, 394.250, and 417.220, RSMo, and to enact in lieu thereof eighteen new sections relating to the collection of money by public entities, with an existing penalty provision.

Was taken up.

On motion of Senator Kraus, **SB 18** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 84**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 84

An Act to repeal sections 542.400, 542.402, 542.406, 542.412, 542.414, 542.416, 542.418, and 542.420, RSMo, and to enact in lieu thereof nine new sections relating to the authority to engage in certain investigative practices, with penalty provisions.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **SCS** for **SB 84** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 434, introduced by Senator Sater, entitled:

An Act to repeal section 160.530, RSMo, and to enact in lieu thereof one new section relating to the allocation of moneys to school district professional development committees.

Was taken up.

On motion of Senator Sater, **SB 434** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators

Rizzo Sifton—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for **SB 240**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 240

An Act to amend chapter 324, RSMo, by adding thereto nine new sections relating to the statewide licensure of electrical contractors, with penalty provisions.

Was taken up by Senator Schatz.

On motion of Senator Schatz, **SCS** for **SB 240** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 395, introduced by Senator Hoskins, entitled:

An Act to repeal sections 326.256, 326.259, 326.265, 326.280, 326.283, 326.286, 326.289, 326.292, 326.307, 326.310, 326.313, 326.316, and 326.325, RSMo, and to enact in lieu thereof twelve new sections relating to the regulation of public accountants, with an existing penalty provision.

Was taken up.

On motion of Senator Hoskins, **SB 395** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hoskins, title to the bill was agreed to.

Senator Hoskins moved that the vote by which the bill passed be reconsidered.

Senator Kraus moved that motion lay on the table, which motion prevailed.

SB 399, introduced by Senator Romine, with **SCS**, entitled:

An Act to repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.170, 304.180, and 407.816, RSMo, and to enact in lieu thereof ten new sections relating to vehicle composition requirements.

Was called from the Consent Calendar and taken up.

SCS for **SB 399**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 399

An Act to repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.170, 304.180, and 407.816, RSMo, and to enact in lieu thereof ten new sections relating to vehicle composition requirements.

Was taken up.

Senator Romine moved that **SCS** for **SB 399** be adopted, which motion prevailed.

On motion of Senator Romine, **SCS** for **SB 399** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Romine, title to the bill was agreed to.

Senator Romine moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HB 50**, with **SCS**, entitled:

An Act to repeal sections 478.463 and 478.464, RSMo, and to enact in lieu thereof two new sections relating to circuit and associate judges in the sixteenth judicial circuit.

Was called from the Consent Calendar and taken up by Senator Dixon.

SCS for HCS for HB 50, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 50

An Act to repeal section 478.463, RSMo, and to enact in lieu thereof one new section relating to the sixteenth judicial circuit.

Was taken up.

Senator Dixon moved that **SCS for HCS for HB 50** be adopted, which motion prevailed.

On motion of Senator Dixon, **SCS for HCS for HB 50** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 14, entitled:

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2017.

Was taken up by Senator Brown.

SCS for HCS for HB 14, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 14

An Act to appropriate money for supplemental purposes for the expenses, grants, and distributions of the several departments and offices of state government and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the fiscal period ending June 30, 2017.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 14** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS for HCS for HB 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 542**, entitled:

An Act to repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.170, 304.180, and 407.816, RSMo, and to enact in lieu thereof ten new sections relating to compliance with the federal transportation laws.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1**, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 2**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 3**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 4**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended

only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds shall be used for any costs associated with the tolling of interstate highways.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 5**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 6**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2017 and ending June 30, 2018; provided the Department of Natural Resources notify members of the General Assembly, in writing, about pending land purchases sixty (60) days prior to the close of sale; and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of "waters of the United States" or "navigable waters" under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly; and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency's "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," 80 Fed. Reg. 64,662 (October 23, 2015).

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 7**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration,

Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 8**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018, provided that a flight plan be made publicly available via a global aviation data services organization that operates both a website and mobile application which provides free flight tracking of both private and commercial aircraft prior to the departure of any flight on a state aircraft for which an elected official will be on board the aircraft.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 1:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 9**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 10**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 11**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any person who or entity which is a provider of abortion services as defined in Section 170.015, RSMo.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 12**, entitled:

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 13**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Koenig offered Senate Resolution No. 640, regarding Catherine Anne Colletti, Wildwood, which was adopted.

Senator Koenig offered Senate Resolution No. 641, regarding Jaime Lynn Pack, Wildwood, which was adopted.

Senator Koenig offered Senate Resolution No. 642, regarding Maya Renee Hanson, Fenton, which was adopted.

Senator Romine offered Senate Resolution No. 643, regarding Hotel Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 644, regarding Abbey Diana Engelmann, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 645, regarding Claire Rose Fischer, Sainte Genevieve, which was adopted.

Senator Schupp offered Senate Resolution No. 646, regarding Maya Erin Wasserstrom, St. Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 647, regarding Joseph Roling, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 648, regarding Leslie Nilges, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 649, regarding SSM Health, Jefferson City, which was adopted.

Senator Schupp offered Senate Resolution No. 650, regarding Sarah Eisenman, St. Louis, which was adopted.

Senator Schatz offered Senate Resolution No. 651, regarding Missouri One Call System and Missouri Common Ground Alliance, which was adopted.

Senator Schatz offered Senate Resolution No. 652, regarding Larita Rice, which was adopted.

INTRODUCTION OF GUESTS

Senator Hummel introduced to the Senate, fourth grade students from Forsyth School, St. Louis.

Senator Brown introduced to the Senate, the Physician of the Day, Dr. Lirong Zhu, Rolla; and Thomas Andrews, Columbia.

The President introduced to the Senate, Corey Cambell, and seventh grade students from Nell Holcomb R-IV School, Cape Girardeau.

Senator Hegeman introduced to the Senate, Chole Haffarnan and her parents, Jim and Susan.

Senator Kehoe introduced to the Senate, Mrs. Wolken, Mrs. Ferguson, and students from Immaculate Conception School, Jefferson City.

Senator Libla introduced to the Senate, Brent Davis and Wally Duncan, Poplar Bluff.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, April 10, 2017.

SENATE CALENDAR

FIFTY-FIRST DAY—MONDAY, APRIL 10, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 275	HCS for HB 4
HCS#2 for HB 502	HCS for HB 5
HCS for HB 142	HCS for HB 6
HCS for HB 340	HCS for HB 7
HCS for HB 780	HCS for HB 8
HCS for HB 573	HCS for HB 9
HCS for HB 542	HCS for HB 10
HCS for HB 1	HCS for HB 11
HCS for HB 2	HCS for HB 12
HCS for HB 3	HCS for HB 13

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 469-Schatz	SB 451-Nasheed
SB 517-Wasson	SB 419-Riddle
SB 435-Cunningham, with SCS	SB 264-Dixon

HOUSE BILLS ON THIRD READING

1. HB 34-Plocher (Dixon)	7. HCS for HB 115, with SCS (Wasson)
2. HCS for HBs 1194 & 1193 (Hegeman)	8. HB 655-Engler (Dixon)
3. HB 462-Kolkmeier (Munzlinger)	9. HB 35-Plocher (Dixon)
4. HB 461-Kolkmeier (Munzlinger)	10. HCS for HBs 91, 42, 131, 265 & 314 (Brown)
5. HCS for HB 460 (Munzlinger)	11. HCS for HB 66, with SCS (Sater)
6. HB 93-Lauer, with SCS (Wasson)	

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|---|--------------------------------------|
| 12. HCS for HBs 190 & 208 (Eigel) | 18. HCS for HB 427, with SCS (Kehoe) |
| 13. HCS for HB 451 (Wasson) | 19. HB 85-Redmon, with SCS (Hegeman) |
| 14. HB 51-Andrews, with SCS (Hegeman) | 20. HB 207-Fitzwater (Romine) |
| 15. HCS for HB 292, with SCS (Cunningham) | 21. HCB 3-Fitzpatrick (Koenig) |
| 16. HCS for HBs 337, 259 & 575 (Schatz) | 22. HB 104-Love (Brown) |
| 17. HB 336-Shull (Rowden) | 23. HCS for HBs 339 & 714, with SCS |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 5-Richard | SB 122-Munzlinger, with SCS |
| SB 6-Richard, with SCS | SB 123-Munzlinger |
| SB 13-Dixon | SB 126-Wasson |
| SB 20-Brown | SB 129-Dixon and Sifton, with SCS |
| SB 21-Brown | SB 130-Kraus, with SCS |
| SB 28-Sater, with SCS (pending) | SB 133-Chappelle-Nadal |
| SB 32-Emery, with SCS | SB 138-Sater |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | SB 141-Emery |
| SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending) | SB 142-Emery |
| SBs 44 & 63-Romine, with SCS | SB 144-Wallingford |
| SB 46-Libla, with SCS | SB 145-Wallingford, with SCS |
| SB 49-Walsh, with SCS | SB 147-Romine |
| SB 61-Hegeman, with SCS | SB 156-Munzlinger, with SCS |
| SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending) | SB 157-Dixon, with SCS |
| SB 68-Onder and Nasheed | SB 158-Dixon |
| SB 76-Munzlinger | SB 163-Romine |
| SB 80-Wasson, with SCS | SB 169-Dixon, with SCS |
| SB 81-Dixon | SB 171-Dixon and Sifton, with SCS |
| SB 83-Dixon | SB 176-Dixon |
| SB 85-Kraus, with SCS | SB 177-Dixon, with SCS |
| SB 88-Brown, with SCS | SB 178-Dixon |
| SB 96-Sater and Emery | SB 180-Nasheed, with SCS |
| SB 97-Sater, with SCS | SB 183-Hoskins, with SCS |
| SB 99-Emery | SB 184-Emery, with SS (pending) |
| SB 102-Cunningham, with SCS | SB 185-Onder, et al, with SCS |
| SB 103-Wallingford | SB 188-Munzlinger, with SCS |
| SB 109-Holsman, with SCS | SB 189-Kehoe, with SCS |
| SB 115-Schupp, with SCS | SB 190-Emery, with SCS & SS#2 for SCS
(pending) |
| SB 117-Schupp, with SCS | SB 196-Koenig |
| | SB 199-Wasson |
| | SB 200-Libla |

SB 201-Onder, with SCS	SBs 327, 238 & 360-Romine, with SCS
SB 203-Sifton, with SCS	SB 328-Romine, with SCS, with SCS & SA 3
SB 204-Sifton	(pending)
SB 207-Sifton	SB 330-Munzlinger
SB 209-Wallingford	SB 331-Hegeman
SB 210-Onder, with SCS	SB 333-Schaaf, with SCS
SB 220-Riddle, with SCS & SS for SCS	SB 336-Wieland
(pending)	SB 348-Wasson
SB 221-Riddle	SB 349-Wasson
SB 223-Schatz, with SCS	SB 358-Wieland
SB 227-Koenig, with SCS	SB 362-Hummel
SB 228-Koenig, with SS & SA 1 (pending)	SB 368-Rowden
SB 230-Riddle	SB 371-Schaaf
SB 232-Schatz	SB 373-Curls, with SA 1 & point of order
SB 233-Wallingford	(pending)
SB 234-Libla, with SCS	SB 376-Hoskins
SB 239-Rowden, with SCS	SB 378-Wallingford
SB 242-Emery, with SCS	SB 379-Schatz
SB 243-Hegeman	SB 381-Riddle
SB 247-Kraus, with SCS	SB 383-Eigel and Wieland
SB 250-Kehoe	SB 384-Rowden, with SCS
SB 252-Dixon, with SCS	SB 389-Sater, with SCS
SB 258-Munzlinger	SB 391-Munzlinger
SB 259-Munzlinger	SB 392-Holsman
SB 260-Munzlinger	SB 406-Wasson and Sater
SB 261-Munzlinger	SB 409-Koenig
SB 262-Munzlinger	SB 410-Schatz
SB 263-Riddle	SB 413-Munzlinger
SB 267-Schatz, with SCS	SB 418-Hegeman, with SCS
SB 271-Wasson and Richard, with SCS	SB 422-Cunningham, with SCS
SB 280-Hoskins, with SCS	SB 426-Wasson, with SCS
SB 284-Hegeman, with SCS	SB 427-Wasson
SBs 285 & 17-Koenig, with SCS	SB 430-Cunningham, with SCS
SB 286-Rizzo	SB 433-Sater, with SCS
SB 290-Schatz, with SCS	SB 442-Hegeman
SB 295-Schaaf, with SCS	SB 445-Rowden
SB 298-Curls	SB 448-Emery
SB 303-Wieland, with SCS	SB 468-Hegeman
SB 311-Wasson, with SCS	SB 475-Schatz
SB 313-Koenig, with SCS, SS for SCS,	SB 485-Hoskins
SA 1 & SSA 1 for SA 1 (pending)	SB 490-Schupp
SBs 314 & 340-Schatz, et al, with SCS	SB 526-Brown
SB 316-Rowden, with SCS	SJR 9-Romine, with SCS
SB 325-Kraus	SJR 11-Hegeman, with SCS

SJR 12-Eigel

SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 95-McGaugh (Emery)
HCS for HB 130, with SCS, SS for SCS &
SA 6 (pending) (Onder)

HB 251-Taylor, with SCS, SS for SCS,
SA 2 & SA 3 to SA 2 (pending) (Onder)
HCS for HBs 302 & 228, with SCS (Schatz)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe
SCR 9-Holsman

SCR 14-Hoskins
SCR 21-Wallingford

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FIRST DAY—MONDAY, APRIL 10, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Be strong and bold; have no fear or dread of them, because it is the Lord your God who goes with you; he will not fail you or forsake you.” (Deuteronomy 31:6)

Ever present God we come before You not fully knowing what the week holds for us but aware it will have its challenges and difficulties as well as moments of joy and promise. We know that whatever this week brings, You are with us and because You are, we can trust Your promises. So we give You thanks, knowing You will help us embrace all that comes our way and helping us to be faithful to Your calling us to serve here. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 6, 2017 was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wieland offered Senate Resolution No. 653, regarding John J. Winkelman, Crystal City, which was adopted.

Senator Kehoe offered Senate Resolution No. 654, regarding Jeanie Hasenbeck, Freeburg, which was adopted.

Senator Walsh offered Senate Resolution No. 655, regarding Ann Gibbons, Hazelwood, which was adopted.

Senator Eigel offered Senate Resolution No. 656, regarding Michaela M. Erfling, Saint Charles, which was adopted.

Senator Kraus offered Senate Resolution No. 657, regarding Eagle Scout Zachary David Hilker, Greenwood, which was adopted.

Senator Kraus offered Senate Resolution No. 658, regarding Eagle Scout Adam Stiles, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 659, regarding Eagle Scout Allen Retzler, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 660, regarding Eagle Scout Caleb Joseph Riley, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 661, regarding Eagle Scout Carter Lee Loyd, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 662, regarding Eagle Scout Evan Joseph Dunning, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 663, regarding Eagle Scout George Riley Noll, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 664, regarding Eagle Scout Joshua Thomas Laughlin, Lee's Summit, which was adopted.

Senator Kraus offered Senate Resolution No. 665, regarding Eagle Scout Noah Thompson, Archie, which was adopted.

Senator Kraus offered Senate Resolution No. 666, regarding Eagle Scout Timothy Donald Degenhardt, Lee's Summit, which was adopted.

Senator Romine offered Senate Resolution No. 667, regarding Mary P. Smith, De Soto, which was adopted.

Senator Hoskins offered Senate Resolution No. 668, regarding the Hicklin family, Lexington, which was adopted.

Senator Riddle offered Senate Resolution No. 669, regarding Allison Marie Bicker, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 670, regarding Robert White, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 671, regarding Josy Ann Teson, Troy, which was adopted.

Senator Sater offered Senate Resolution No. 672, regarding Karen Richardson, which was adopted.

Senator Sater offered Senate Resolution No. 673, regarding Virgil Harrington, which was adopted.

Senator Onder offered Senate Resolution No. 674, regarding Lauryn Ashley Torluemke, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 675, regarding Roland Henry Fisher, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 676, regarding Megan Sarah Rajagopal, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 677, regarding Heidi Elizabeth Speth, St. Peters, which was adopted.

Senator Onder offered Senate Resolution No. 678, regarding Clifford Lee "Cliff" Turner, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 679, regarding Ashley M. Spell, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 680, regarding Mariah Joy Skelly, Saint Charles, which was adopted.

Senator Kraus offered Senate Resolution No. 681, regarding the One Hundredth Birthday of Clifford D. Mathis, Lee's Summit, which was adopted.

Senator Emery offered Senate Resolution No. 682, regarding Jerry Bearce, Adrian, which was adopted.

Senator Emery offered Senate Resolution No. 683, regarding Helen Friedrich, Harrisonville, which was adopted.

Senator Emery offered Senate Resolution No. 684, regarding Donald L. Carpenter, Urich, which was adopted.

Senator Hoskins offered Senate Resolution No. 685, regarding the University of Central Missouri Safety Center, Warrensburg, which was adopted.

Senator Walsh offered Senate Resolution No. 686, regarding Frank August Albers, St. Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 687, regarding Everett Eugene Marquardt, Florissant, which was adopted.

Senator Wasson offered Senate Resolution No. 688, regarding the 2017 Class 3 State Champion Strafford High School basketball Lady Indians, which was adopted.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 1—Appropriations.

HCS for HB 2—Appropriations.

HCS for HB 3—Appropriations.

HCS for HB 4—Appropriations.

HCS for HB 5—Appropriations.

HCS for HB 6—Appropriations.

HCS for HB 7—Appropriations.

HCS for HB 8—Appropriations.

HCS for HB 9—Appropriations.

HCS for HB 10—Appropriations.

HCS for HB 11—Appropriations.

HCS for HB 12—Appropriations.

HCS for HB 13—Appropriations.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Libla, Chairman of the Committee on Small Business and Industry, submitted the following report:

Mr. President: Your Committee on Small Business and Industry, to which was referred **HB 288**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following report:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS for HBs 90 and 68**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

HOUSE BILLS ON THIRD READING

At the request of Senator Dixon, **HB 34** was placed on the Informal Calendar.

At the request of Senator Hegeman, **HCS for HBs 1194 and 1193** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 462** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HB 461** was placed on the Informal Calendar.

At the request of Senator Munzlinger, **HCS** for **HB 460** was placed on the Informal Calendar.

HB 93, with **SCS** was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 115**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 655** was placed on the Informal Calendar.

At the request of Senator Dixon, **HB 35** was placed on the Informal Calendar.

HCS for **HBs 91, 42, 131, 265** and **314** was placed on the Informal Calendar.

At the request of Senator Sater, **HCS** for **HB 66**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Eigel, **HCS** for **HBs 190** and **208** was placed on the Informal Calendar.

At the request of Senator Wasson, **HCS** for **HB 451** was placed on the Informal Calendar.

At the request of Senator Hegeman, **HB 51**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Cunningham, **HCS** for **HB 292**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Schatz, **HCS** for **HBs 337, 259** and **575** was placed on the Informal Calendar.

At the request of Senator Rowden, **HB 336** was placed on the Informal Calendar.

At the request of Senator Kehoe, **HCS** for **HB 427**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Hegeman, **HB 85**, with **SCS** was placed on the Informal Calendar.

At the request of Senator Romine, **HB 207** was placed on the Informal Calendar.

At the request of Senator Koenig, **HCB 3** was placed on the Informal Calendar.

At the request of Senator Brown, **HB 104** was placed on the Informal Calendar.

At the request of Senator Rowden, **HCS** for **HBs 339** and **714**, with **SCS** was placed on the Informal Calendar.

SENATE BILLS FOR PERFECTION

Senator Koenig moved that **SB 313**, with **SCS**, **SS** for **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Koenig, **SS** for **SCS** for **SB 313** was withdrawn, rendering **SA 1** and **SSA 1** for **SA 1** moot.

Senator Koenig offered **SS No. 2** for **SCS** for **SB 313**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 313

An Act to repeal sections 160.410, 160.415, 162.081, 163.021, 163.036, 167.121, 167.131, 171.031, and 210.861, RSMo, and to enact in lieu thereof thirty-nine new sections relating to elementary and secondary education, with a penalty provision and an emergency clause for certain sections.

Senator Koenig moved that **SS No. 2** for **SCS** for **SB 313** be adopted.

Senator Wallingford assumed the Chair.

Senator Holsman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 51, Section 166.720, Line 2, by inserting after all of said line the following:

“166.725. The provisions of sections 135.712 to 135.719 and sections 166.700 to 166.720 shall be effective in any fiscal year immediately subsequent to any fiscal year in which the amount appropriated and expended for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement calculation determined by subsections 1 and 2 of section 163.031 and the amount appropriated and expended for pupil transportation under section 163.161 equals or exceeds seventy-five percent of the allowable costs of providing pupil transportation as provided in said section and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 and under section 163.161 in any succeeding year.”; and

Further amend the title and enacting clause accordingly.

Senator Holsman moved that the above amendment be adopted.

Senator Koenig offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 1, Line 11, by striking the word “seventy-five” and inserting in lieu thereof the following: **“twenty-one”**.

President Parson assumed the Chair.

Senator Hegeman assumed the Chair.

President Parson assumed the Chair.

Senator Koenig moved that the above amendment be adopted, which motion prevailed.

SA 1, as amended, was again taken up.

Senator Holsman moved that **SA 1**, as amended, be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 1, Section A, Line 10, by inserting after all of said line the following:

“67.1790. 1. The provisions of this section shall be known as the “Local Workforce Development Act of 2017”.

2. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, or any city within such county, may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

3. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) impose a (countywide/citywide) sales tax at a rate of (insert rate of percent) percent for the purpose of funding early childhood education in the county or city?

☐ **YES**

☐ **NO**

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city may not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

4. On or after the effective date of any tax authorized under this section, the county or city which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation

of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county or city, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "Early Childhood Education Sales Tax Trust Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

5. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

6. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

7. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county or city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. Whenever the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county or city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

9. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county or city shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

10. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval by an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

Senator Koenig raised the point of order that SA 2 goes beyond the scope of the bill. The point of order was referred to the President Pro Tem.

At the request of Senator Dixon, SA 2 was withdrawn, rendering the point of order moot.

Senator Nasheed offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 57, Section 167.688, Line 5, by inserting after all of said line the following:

“167.735. 1. Beginning July 1, 2018, every public school in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, including charter schools, shall incorporate a response-to-intervention tiered approach to reading instruction to focus resources on students who are determined by their school to need additional or changed instruction to make progress as readers. At a minimum, the reading levels of students in kindergarten through tenth grade shall be assessed at the beginning and middle of the school year, and students who score below district benchmarks shall be provided with intensive, systematic reading instruction.

2. Beginning January 1, 2018, and every January first thereafter, every public school in the metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, including charter schools, shall prepare a personalized learning plan for any kindergarten or first grade student whose most recent school-wide reading assessment result shows the student is working below grade level unless the student has been determined by other means in the current school year to be working at grade level or above. The provisions of this section shall not apply to students otherwise served under an individualized education program, to students receiving services through a plan prepared under Section 504 of the Rehabilitation Act of 1973 that includes an element addressing reading below grade level, or to students determined to have limited English proficiency.

3. For any student in a metropolitan school district or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county that is required by this section to have a personalized learning plan, the student’s main teacher shall consult with the student’s parent or guardian during the preparation of the plan and shall consult, as appropriate, any district personnel or department of elementary and secondary education personnel with necessary expertise to develop such a plan. The school shall require the written consent of the parent or guardian to implement the plan; however, if the school is unsuccessful in contacting the parent or guardian by January fifteenth, the school may send a letter by certified mail to the student’s last known address stating its intention to implement the plan by February first.

4. After implementing the personalized learning plan through the end of the student’s first grade year, the school shall refer any student who still performs below grade level for assessment to determine if an individualized education program is necessary for the student. A student who is assessed as not needing an individualized education program but who is reading below grade level at the end of the first grade shall continue to be required to have a personalized learning plan until the student is reading at grade level.

5. Notwithstanding any provision of law to the contrary, any student in a metropolitan or in any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county who is not reading at second-grade level by the end of second grade may be promoted to the third grade only under one of the following circumstances:

(1) The school provides additional reading instruction during the summer and demonstrates the student has the abilities and the knowledge to successfully learn in third grade at the end of the summer school;

(2) The school provides a combined classroom in which the student continues with the same teacher, sometimes referred to as “looping”. If the student in such a classroom is not reading at third-grade level by the end of third grade, the student shall be retained in third grade; or

(3) The student’s parents or guardians have signed a notice that they prefer to have their student promoted although the student is reading below grade level. The school shall have the final determination on the issue of retention.

6. The metropolitan school district, any urban school district containing most or all of a home rule city with more than four hundred thousand inhabitants and located in more than one county, and each charter school located in such districts shall provide in its annual report card under section 160.522 the numbers and percentages by grade from first grade to tenth grade in each school of any students at any grade level who have been promoted who have been determined as reading below grade level, except that no reporting shall permit the identification of an individual student.

7. School districts and charter schools under this section may provide for a student promotion and retention program and a reading instruction program that are equivalent to those which are described in this section with the oversight and approval of the department of elementary and secondary education.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion prevailed.

Senator Romine offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 3, Section 135.713, Line 11, by striking “one hundred” and inserting in lieu thereof “**fifty**”; and

Further amend said bill, page 9, lines 8-10 by striking all of said lines and inserting in lieu thereof the following:

“2. Pursuant to section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 135.712 to 135.719 and sections 166.700 to 166.720 shall sunset automatically six years after the effective date of this act unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under sections 135.712 to 135.719 and sections 166.700 to 166.720 shall sunset automatically twelve years after the effective date of the reauthorization of sections 135.712 to 135.719 and sections 166.700 to 166.720; and

(3) Sections 135.712 to 135.719 and sections 166.700 to 166.720 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 135.712 to 135.719 and sections 166.700 to 166.720 is sunset.”.

Senator Romine moved that the above amendment be adopted.

Senator Koenig requested a roll call vote be taken on the adoption of **SA 4**. He was joined in his request by Senators Emery, Kraus, Rowden and Schaaf.

SA 4 failed of adoption by the following vote:

YEAS—Senators

Curls	Dixon	Hegeman	Holsman	Hoskins	Hummel	Libla
Rizzo	Romine	Schaaf	Schupp	Sifton	Silvey	Walsh
Wasson—15						

NAYS—Senators

Brown	Chappelle-Nadal	Cunningham	Eigel	Emery	Kehoe	Koenig
Kraus	Munzlinger	Nasheed	Onder	Richard	Riddle	Rowden
Wallingford	Wieland—16					

Absent—Senators

Sater	Schatz—2
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Absent with leave—Senators—None

Vacancies—1

Senator Wasson offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 35, Section 162.1313, Line 9, by inserting after all of said line the following:

“163.018. 1. Notwithstanding the definition of “average daily attendance” in subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who are eligible for free and reduced price lunch and attend an early childhood education program that is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the state board of education shall be included in the district’s or charter school’s calculation of average daily attendance. The total number of such pupils included in the district’s or charter school’s calculation of average daily attendance shall not exceed four percent of the total number of pupils who are eligible for free and reduced price lunch between the ages of five and eighteen who are included in the district’s or charter school’s calculation of average daily attendance.

2. (1) For any district that has been declared unaccredited by the state board of education and remains unaccredited as of July 1, 2015, and for any charter school located in said district, the provisions of subsection 1 of this section shall become applicable during the 2015-16 school year.

(2) For any district that is declared unaccredited by the state board of education after July 1, 2015, and for any charter school located in said district, the provisions of subsection 1 of this section shall become applicable immediately upon such declaration.

(3) For any district that has been declared provisionally accredited by the state board of education and

remains provisionally accredited as of July 1, 2016, and for any charter school located in said district, the provisions of subsection 1 of this section shall become applicable beginning in the 2016-17 school year.

(4) For any district that is declared provisionally accredited by the state board of education after July 1, 2016, and for any charter school located in said district, the provisions of this section shall become applicable beginning in the 2016-17 school year or immediately upon such declaration, whichever is later.

(5) For all other districts and charter schools, the provisions of subsection 1 of this section shall become effective in any school year subsequent to a school year in which the amount appropriated for subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement calculation determined by subsections 1 and 2 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year, **provided that in the first school year in which subsection 1 of this section becomes effective under this subdivision, school districts and charter schools shall receive twenty percent of the funding associated with such pupils; in the second school year, school districts and charter schools shall receive forty percent of the funding associated with such pupils; in the third school year, school districts and charter schools shall receive sixty percent of the funding associated with such pupils; in the fourth school year, school districts and charter schools shall receive eighty percent of the funding associated with such pupils; and in the fifth and each succeeding school year, school districts and charter schools shall receive one hundred percent of the funding associated with such pupils.**

3. This section shall not require school attendance beyond that mandated under section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.”; and

Further amend the title and enacting clause accordingly.

Senator Wasson moved that the above amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 1, In the Title, Line 5, by striking the words “elementary and secondary”; and

Further amend said bill and page, Section A, line 10, by inserting after all of said line the following:

“67.1790. 1. The governing body of any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants, or any city within such county, may impose by order or ordinance a sales tax on all retail sales made within the county or city that are subject to sales tax under chapter 144 for the purpose of funding early childhood education programs in the county or city. The tax shall not exceed one quarter of one percent and shall be imposed solely for the purpose of funding early childhood education programs in the county or city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the county or city submits to the voters residing within the county or city, at a general election, a proposal to authorize the governing body of the county or city to impose a tax under this section.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) impose a (countywide/citywide) sales tax at a rate of (insert rate of percent) percent for the purpose of funding early childhood education in the county or city?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, the county or city may not impose the sales tax authorized under this section unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. On or after the effective date of any tax authorized under this section, the county or city which imposed the tax shall enter into an agreement with the director of the department of revenue for the purpose of collecting the tax authorized in this section. On or after the effective date of the tax the director of revenue shall be responsible for the administration, collection, enforcement, and operation of the tax, and sections 32.085 and 32.087 shall apply. All revenue collected under this section by the director of the department of revenue on behalf of any county or city, except for one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Early Childhood Education Sales Tax Trust Fund”, and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the trust fund and credited to the county or city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county or city. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. In order to permit sellers required to collect and report the sales tax to collect the amount required to be reported and remitted, but not to change the requirements of reporting or remitting the tax, or to serve as a levy of the tax, and in order to avoid fractions of pennies, the governing body of the county or city may authorize the use of a bracket system similar to that authorized in section 144.285, and notwithstanding the provisions of that section, this new bracket system shall be used where this tax is imposed and shall apply to all taxable transactions. Beginning with the effective date of the tax, every retailer in the county or city shall add the sales tax to the sale price, and this tax shall be a debt of the purchaser to the retailer until paid, and shall be recoverable at law in the same manner as the purchase price. For purposes of this section, all retail sales shall be deemed to be consummated at the place of business of the retailer.

5. All applicable provisions in sections 144.010 to 144.525 governing the state sales tax, and section 32.057, the uniform confidentiality provision, shall apply to the collection of the tax, and all exemptions granted to agencies of government, organizations, and persons under sections 144.010 to 144.525 are hereby made applicable to the imposition and collection of the tax. The same sales tax permit, exemption certificate, and retail certificate required by sections 144.010 to 144.525 for the administration and collection of the state sales tax shall satisfy the requirements of this section, and no additional permit or exemption certificate or retail certificate shall be required; except that, the director of revenue may prescribe a form of exemption certificate for an exemption from the tax. All discounts allowed the retailer under the state sales tax for the collection of and for payment of taxes are hereby allowed and made applicable to the tax. The penalties for violations provided in section 32.057 and sections 144.010 to 144.525 are hereby made applicable to violations of this section. If any person is delinquent in the payment of the amount required to be paid under this section, or in the event a determination has been made against the person for taxes and penalty under this section, the limitation for bringing suit for the collection of the delinquent tax and penalty shall be the same as that provided in sections 144.010 to 144.525.

6. The governing body of any county or city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters at a general election. The ballot of submission shall be in substantially the following form:

Shall (insert the name of the county or city) repeal the sales tax imposed at a rate of (insert rate of percent) percent for the purpose of funding early childhood education in the county or city?

☐ **YES**

☐ **NO**

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the governing body of any county or city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the county or city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the county or city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county or city shall notify the director of the department of revenue of the action at least thirty days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or city, the director shall remit the balance in the account to the county or city and close the account of that county or city. The director shall notify each county or city of each instance of any amount refunded or any check redeemed from receipts due the county or city.

9. The governing body of each county or city imposing the tax authorized under this section shall select an existing community task force to administer the revenue from the tax received by the county or city. Such revenue shall be expended only upon approval by an existing community task force selected by the governing body of the county or city to administer the funds and only in accordance with a budget approved by the county or city governing body.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion failed on a standing division vote.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Schatz offered SA 7:

SENATE AMENDMENT NO. 7

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 32, Section 162.081, Line 4, by inserting immediately after said line the following:

“162.431. 1. When it is necessary to change the boundary lines between seven-director school districts, in each district affected, ten percent of the voters by number of those voting for school board members in the last annual school election in each district may petition the district boards of education in the districts affected, regardless of county lines, for a change in boundaries. The question shall be submitted at the next election, as the term election is referenced and defined in section 115.123.

2. The voters shall decide the question by a majority vote of those who vote upon the question. If assent to the change is given by each of the various districts voting, each voting separately, the boundaries are changed from that date.

3. If one of the districts votes against the change and the other votes for the change, the matter may be appealed to the state board of education, in writing, within fifteen days of the submission of the question by either one of the districts affected, or in the above event by a majority of the signers of the petition requesting a vote on the proposal. At the first meeting of the state board following the appeal, a board of arbitration composed of three members, none of whom shall be a resident of any district affected, shall be appointed. In determining whether it is necessary to change the boundary line between seven-director districts, the board of arbitration shall base its decision upon the following:

(1) The presence of school-aged children in the affected area;

(2) The presence of actual educational harm to school-aged children, either due to a significant difference in the time involved in transporting [students] **pupils** or educational deficiencies in the district which would have its boundary adversely affected; and

(3) The presence of an educational necessity, not of a commercial benefit to landowners or to the district benefitting for the proposed boundary adjustment.

For purposes of subdivision (2) of this subsection, “significant difference in the time involved in transporting [students] **pupils**” shall mean a difference of forty-five minutes or more per trip in travel time. “Travel time” is the period of time required to transport a pupil from the pupil’s place of residence or other designated pick-up point to the site of the pupil’s educational placement.

4. Within twenty days after notification of appointment, the board of arbitration shall meet and consider the necessity for the proposed changes and shall decide whether the boundaries shall be changed as requested in the petition or be left unchanged, which decision shall be final. The decision by the board of arbitration shall be rendered not more than thirty days after the matter is referred to the board. The [chairman] **chair** of the board of arbitration shall transmit the decision to the secretary of each district affected who shall enter the same upon the records of his **or her** district and the boundaries shall thereafter be in accordance with the decision of the board of arbitration. The members of the board of arbitration shall be allowed a fee of fifty dollars each, to be paid at the time the appeal is made by the district taking the appeal or by the petitioners should they institute the appeal.

5. If the board of arbitration decides that the boundaries shall be left unchanged, no new petition for the same, or substantially the same, boundary change between the same districts shall be filed until after the expiration of two years from the date of the municipal election at which the question was submitted to the voters of the districts.”; and

Further amend said bill, page 51, section 167.121, line 7, by inserting after the word “district” the following: “, **except as provided in section 167.125**”; and further amend line 10 by inserting after the word “rescinded.” the following:

“Any assignment granted to a pupil under this section before August 28, 2017, shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment. Any assignment granted to a pupil under this section before August 28, 2017, shall also be applicable to any sibling of the pupil and shall remain in effect until the pupil completes his or her course of study in the receiving district or until the parent or guardian withdraws the pupil from the assignment.”; and

Further amend said bill and section, page 52, line 8, by striking the word “students” and inserting in lieu thereof the following: “**pupils**”; and further amend line 27, by inserting immediately after said line the following:

“167.125. 1. For any pupil residing in any school district in the state, the commissioner of education or his or her designee shall, upon proper application by the parent or guardian of the pupil, assign the pupil and any sibling of the pupil to another school district if the pupil is eligible as described under subsection 2 of this section and the following conditions are met:

(1) The actual driving distance from the pupil’s residence to the attendance center in the district

of residence is fifteen miles or more by the shortest route available as determined by the commissioner or his or her designee;

(2) The attendance center to which the pupil would be assigned in the receiving district is at least five miles closer in actual driving distance by the shortest route available to the pupil's residence than the current attendance center in the district of residence as determined by the commissioner or his or her designee; and

(3) The attendance of the pupil will not cause the classroom in the receiving district to exceed the number of pupils per class as determined by the receiving district.

2. (1) For pupils applying to the commissioner of education under this section, the commissioner or his or her designee shall assign pupils in the order in which applications are received, so long as the applications are properly completed and the conditions of subsection 1 of this section are met.

(2) Once granted, the hardship assignment shall continue until the pupil, and any sibling of the pupil who attends the same attendance center, completes his or her course of study in the receiving district or the parent or guardian withdraws the pupil. If a parent or guardian withdraws a pupil from a hardship assignment, the granting of a subsequent application is discretionary.

(3) A pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in his or her district of residence during the school year prior to the application. Any pupil shall be eligible to apply to the commissioner of education to be assigned to another district under this section if the pupil has been enrolled in and attending a public school in a district other than his or her district of residence and paid nonresident tuition for such enrollment during the school year prior to the application. Pupils who reside in the district who become eligible for kindergarten or first grade shall also be eligible to apply to the commissioner of education to be assigned to another district.

(4) A pupil who is not currently enrolled in a public school district shall become eligible to apply to the commissioner of education to be assigned to another district after the pupil has enrolled in and completed a full school year in a public school in his or her district of residence.

3. The board of education of the district in which the pupil resides shall pay the tuition of the pupil assigned. The tuition amount shall not exceed the pro rata cost of instruction.”; and

Further amend the title and enacting clause accordingly.

Senator Schatz moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered SA 8:

SENATE AMENDMENT NO. 8

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 5, Section 135.714, Line 7 of said page, by striking “At least ninety” and inserting in lieu thereof the following: “**One hundred**”; and further amend line 8, by striking the word “and”; and further amend lines 9-13 of said page, by striking all of said lines; and

Further amend said bill, Page 8, Section 135.716, Lines 13-22, by striking all of said lines.

Senator Schupp moved that the above amendment be adopted.

Senator Emery offered SA 1 to SA 8:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 8

Amend Senate Amendment No. 8 to Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 1, Line 3, by striking the words “8,” and further amend lines 4-5 by striking all of said lines and insert in lieu thereof the following: “9 by striking the words “not exceed”, and further amend lines 10-13 by striking all of said lines and inserting in lieu thereof the following: “**be paid for from moneys appropriated for the purposes established in section 163.031;**”; and”.

Senator Emery moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Schupp, SA 8, as amended, was withdrawn, rendering SA 1 to SA 8 moot.

Senator Hegeman offered SA 9:

SENATE AMENDMENT NO. 9

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 19, Section 160.415, Line 15, by inserting immediately after said line the following:

“160.572. 1. For purposes of this section, the following terms mean:

(1) “ACT assessment”, the ACT assessment or the ACT Plus Writing assessment;

(2) “WorkKeys”, the ACT WorkKeys assessments required for the National Career Readiness Certificate.

2. In any school year in which the department of elementary and secondary education directs a state-funded census administration of the ACT assessment to any group of students, any student who would be allowed or required to participate in the census administration shall receive the opportunity, on any date within three months before the census administration, to participate in a state-funded administration of WorkKeys.

3. Any student who participated in a state-funded administration of WorkKeys as described under subsection 2 of this section shall not participate in any state-funded census administration of the ACT assessment.

4. The department of elementary and secondary education shall not require school districts or charter schools to administer the ACT assessment to any student who participated in a state-funded administration of WorkKeys as described under subsection 2 of this section.” and

Further amend said bill, section 162.081, page 32, line 4, by inserting immediately after all of said line the following:

“162.1115. 1. Notwithstanding any provision of law to the contrary, no district shall be penalized for any reason under the Missouri school improvement program if students who graduate from the district complete career and technical education programs approved by the department of elementary and secondary education but are not placed in occupations directly related to their training within six months of graduating.

2. The department of elementary and secondary education shall revise its scoring guide under the Missouri school improvement program to provide additional points to districts that create and enter into a partnership with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to:

- (1) Enroll in a program of career and technical education while in high school;
- (2) Participate and complete an internship or apprenticeship during their final year of high school; and
- (3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.

3. Each school district shall be authorized to create and enter into a partnership with area career centers, comprehensive high schools, industry, and business to develop and implement a pathway for students to:

- (1) Enroll in a program of career and technical education while in high school;
- (2) Participate and complete an internship or apprenticeship during their final year of high school; and
- (3) Obtain the industry certification or credentials applicable to their program or career and technical education and internship or apprenticeship.

4. In complying with the provisions of subsection 3 of this section, each school district may rely on technical coursework and skills assessments developed for industry-recognized certificates and credentials.

5. The department of elementary and secondary education shall permit student scores, that are from a nationally recognized examination that demonstrates achievement of workplace employability skills, to count towards credit for college and career readiness standards on the Missouri school improvement program or any subsequent school accreditation or improvement program.”; and

Further amend said bill, section 167.890, page 77, line 27, by inserting immediately after all of said line the following:

“170.028. 1. As used in this section, the following terms shall mean:

(1) “Council”, the career and technical education advisory council established pursuant to section 178.550;

(2) “CTEC exam”, an entry-level exam that is a component of an industry certification program that leads toward an industry certification;

(3) “Industry certification”, a full certification from a recognized industry, trade, or professional association validating essential skills of a particular occupation, which may include but shall not be limited to:

(a) Perkins Technical Skills Assessment;

(b) Any certification related to a high demand occupation as described by the Missouri economic research and information center (MERIC);

(4) “Occupational competency assessment”, a national standardized assessment of skills and knowledge in a specific career or technical area, which may include but shall not be limited to assessments offered by the National Occupational Competency Testing Institute (NOCTI).

2. The council shall annually review, update, approve, and publish a list of industry certifications, state-issued professional licenses, and occupational assessments, and submit the list to the state board of education for evaluation of course credit.”; and

Further amend said bill, section 171.031, page 82, line 8, by inserting immediately after all of said line the following:

“178.550. 1. This section shall be known and may be cited as the “Career and Technical Education Student Protection Act”. There is hereby established the “Career and Technical Education Advisory Council” within the department of elementary and secondary education.

2. The advisory council shall be composed of [fifteen] **sixteen** members who shall be Missouri residents. The commissioner of education shall appoint the following members:

(1) A director or administrator of a career and technical education center;

(2) An individual from the business community with a background in commerce;

(3) A representative from State Technical College of Missouri;

(4) Three current or retired career and technical education teachers who also serve or served as an advisor to any of the nationally recognized career and technical education student organizations of:

(a) DECA;

(b) Future Business Leaders of America (FBLA);

(c) FFA;

(d) Family, Career and Community Leaders of America (FCCLA);

(e) Health Occupations Students of America (HOSA);

(f) SkillsUSA; or

(g) Technology Student Association (TSA);

(5) A representative from a business organization, association of businesses, or a business coalition;

(6) A representative from a Missouri community college;

(7) A representative from Southeast Missouri State University or the University of Central Missouri;

(8) An individual participating in an apprenticeship recognized by the department of labor and industrial relations or approved by the United States Department of Labor’s Office of Apprenticeship;

(9) A school administrator or school superintendent of a school that offers career and technical education;

(10) The director of the department of economic development, or his or her designee.

3. Members shall serve a term of five years except for the initial appointments, which shall be for the following lengths:

- (1) One member shall be appointed for a term of one year;
- (2) Two members shall be appointed for a term of two years;
- (3) Two members shall be appointed for a term of three years;
- (4) Three members shall be appointed for a term of four years;
- (5) Three members shall be appointed for a term of five years.

4. Four members shall be from the general assembly. The president pro tempore of the senate shall appoint two members of the senate of whom not more than one shall be of the same party. The speaker of the house of representatives shall appoint two members of the house of representatives of whom not more than one shall be of the same party. The legislative members shall serve on the advisory council until such time as they resign, are no longer members of the general assembly, or are replaced by new appointments.

5. The advisory council shall have three nonvoting ex officio members:

- (1) A director of guidance and counseling services at the department of elementary and secondary education, or a similar position if such position ceases to exist;
- (2) The director of the division of workforce development; and
- (3) A member of the coordinating board for higher education, as selected by the coordinating board.

6. The assistant commissioner for the office of college and career readiness of the department of elementary and secondary education shall provide staff assistance to the advisory council.

7. The advisory council shall meet at least four times annually. The advisory council may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The advisory council shall elect from among its members a chairperson, vice chairperson, a secretary-reporter, and such other officers as it deems necessary. Members of the advisory council shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the advisory council.

8. Any business to come before the advisory council shall be available on the advisory council's internet website at least seven business days prior to the start of each meeting. All records of any decisions, votes, exhibits, or outcomes shall be available on the advisory council's internet website within forty-eight hours following the conclusion of every meeting. Any materials prepared for the members shall be delivered to the members at least five days before the meeting, and to the extent such materials are public records as defined in section 610.010 and are not permitted to be closed under section 610.021, shall be made available on the advisory council's internet website at least five business days in advance of the meeting.

9. The advisory council shall make an annual written report to the state board of education and the commissioner of education regarding the development, implementation, and administration of the state budget for career and technical education.

10. The advisory council shall annually submit written recommendations to the state board of education and the commissioner of education regarding the oversight and procedures for the handling of funds for student career and technical education organizations.

11. The advisory council shall:

(1) Develop a comprehensive statewide short- and long-range strategic plan for career and technical education;

(2) Identify service gaps and provide advice on methods to close such gaps as they relate to youth and adult employees, workforce development, and employers on training needs;

(3) Confer with public and private entities for the purpose of promoting and improving career and technical education, **including encouraging local employers to participate in college and career fairs hosted by local school districts**;

(4) Identify legislative recommendations to improve career and technical education;

(5) Promote coordination of existing career and technical education programs;

(6) **Cooperate with local school districts to ensure that the curriculum for the career and technical education certification program established in section 170.029 includes programs of study and course offerings that will lead to industry-recognized certificates or credentials**;

(7) Adopt, alter, or repeal by its own bylaws, rules and regulations governing the manner in which its business may be transacted.

12. For purposes of this section, the department of elementary and secondary education shall provide such documentation and information as to allow the advisory council to be effective.

13. For purposes of this section, “advisory council” shall mean the career and technical education advisory council.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Munzlinger offered **SA 10**:

SENATE AMENDMENT NO. 10

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 21, Section 161.087, Line 2, by inserting immediately after said line the following:

“161.106. 1. The department of elementary and secondary education shall provide staffing support including but not limited to statewide coordination for career and technical student organizations’ activities that are an integral part of the instructional educational curriculum for career and technical education programs approved by the department. Such career and technical organizations shall include, but not be limited to, the nationally recognized organizations of DECA, FBLA, FFA, FCCLA, HOSA, SkillsUSA, and TSA.

2. The department of elementary and secondary education shall [continue to] handle the funds from the

career and technical student organizations [in the same manner as it did during school year 2011-12], with department personnel maintaining responsibility for the receipt and disbursement of funds. The department may ensure accountability and transparency by requiring the career and technical student organizations to provide sworn affidavits annually by personnel in the organization who are responsible for such funds as to the proper receipt and disbursement of such funds.”; and

Further amend the title and enacting clause accordingly.

Senator Munzlinger moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 11**:

SENATE AMENDMENT NO. 11

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 43, Section 166.700, Line 26, by inserting after the word “level” the following:

“appropriate to an individual student’s needs”; and

Further amend said bill and section, page 44, line 13, by inserting after the word “color,” the following:

“disability,”.

Senator Schupp moved that the above amendment be adopted.

Senator Schupp requested a division of the question on **SA 11**, asking that a vote be taken on lines 2-3 and that a second vote be taken on the remainder of the amendment.

Senator Schupp moved that Part I of **SA 11** be adopted, which motion failed.

Senator Schupp requested a roll call vote be taken on the adoption of Part II of **SA 11**. She was joined in her request by Senators Emery, Hummel, Riddle and Walsh.

Senator Schupp moved that Part II of **SA 11** be adopted, which motion failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Rizzo	Romine	Schupp
Sifton	Walsh—9					

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Rowden	Sater	Schatz	Silvey	Wallingford	Wasson
Wieland—22						

Absent—Senators

Nasheed	Schaaf—2
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Absent with leave—Senators—None

Vacancies—1

Senator Hoskins offered **SA 12**:

SENATE AMENDMENT NO. 12

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 44, Section 166.700, Line 19, by inserting immediately after said line the following:

“c. A child of a parent in active military service;” and further renumber the remaining subparagraphs accordingly.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 13**:

SENATE AMENDMENT NO. 13

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Page 35, Section 162.1313, Line 9, by inserting after all of said line the following:

“163.011. As used in this chapter unless the context requires otherwise:

(1) “Adjusted operating levy”, the sum of tax rates for the current year for teachers’ and incidental funds for a school district as reported to the proper officer of each county pursuant to section 164.011;

(2) “Average daily attendance”, the quotient or the sum of the quotients obtained by dividing the total number of hours attended in a term by resident pupils between the ages of five and twenty-one by the actual number of hours school was in session in that term. To the average daily attendance of the following school term shall be added the full-time equivalent average daily attendance of summer school students. “Full-time equivalent average daily attendance of summer school students” shall be computed by dividing the total number of hours, except for physical education hours that do not count as credit toward graduation for students in grades nine, ten, eleven, and twelve, attended by all summer school pupils by the number of hours required in section 160.011 in the school term. For purposes of determining average daily attendance under this subdivision, the term “resident pupil” shall include all children between the ages of five and twenty-one who are residents of the school district and who are attending kindergarten through grade twelve in such district. If a child is attending school in a district other than the district of residence and the child’s parent is teaching in the school district or is a regular employee of the school district which the child is attending, then such child shall be considered a resident pupil of the school district which the child is attending for such period of time when the district of residence is not otherwise liable for tuition. Average daily attendance for students below the age of five years for which a school district may receive state aid based on such attendance shall be computed as regular school term attendance unless otherwise provided by law;

(3) “Current operating expenditures”:

(a) For the fiscal year 2007 calculation, “current operating expenditures” shall be calculated using data from fiscal year 2004 and shall be calculated as all expenditures for instruction and support services except capital outlay and debt service expenditures minus the revenue from federal categorical sources; food service; student activities; categorical payments for transportation costs pursuant to section 163.161; state reimbursements for early childhood special education; the career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the vocational education entitlement for the district, as

provided for in section 167.332; and payments from other districts;

(b) In every fiscal year subsequent to fiscal year 2007, current operating expenditures shall be the amount in paragraph (a) of this subdivision plus any increases in state funding pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005, not to exceed five percent, per recalculation, of the state revenue received by a district in the 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments for any district from the first preceding calculation of the state adequacy target. **Beginning on July 1, 2017, current operating expenditures shall be the amount in paragraph (a) of this subdivision plus any increases in state funding pursuant to sections 163.031 and 163.043 subsequent to fiscal year 2005 received by a district in the 2004-05 school year from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook payments for any district from the first preceding calculation of the state adequacy target;**

(4) “District’s tax rate ceiling”, the highest tax rate ceiling in effect subsequent to the 1980 tax year or any subsequent year. Such tax rate ceiling shall not contain any tax levy for debt service;

(5) “Dollar-value modifier”, an index of the relative purchasing power of a dollar, calculated as one plus fifteen percent of the difference of the regional wage ratio minus one, provided that the dollar value modifier shall not be applied at a rate less than 1.0:

(a) “County wage per job”, the total county wage and salary disbursements divided by the total county wage and salary employment for each county and the City of St. Louis as reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year;

(b) “Regional wage per job”:

a. The total Missouri wage and salary disbursements of the metropolitan area as defined by the Office of Management and Budget divided by the total Missouri metropolitan wage and salary employment for the metropolitan area for the county signified in the school district number or the City of St. Louis, as reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year and recalculated upon every decennial census to incorporate counties that are newly added to the description of metropolitan areas; or if no such metropolitan area is established, then:

b. The total Missouri wage and salary disbursements of the micropolitan area as defined by the Office of Management and Budget divided by the total Missouri micropolitan wage and salary employment for the micropolitan area for the county signified in the school district number, as reported by the Bureau of Economic Analysis of the United States Department of Commerce for the fourth year preceding the payment year, if a micropolitan area for such county has been established and recalculated upon every decennial census to incorporate counties that are newly added to the description of micropolitan areas; or

c. If a county is not part of a metropolitan or micropolitan area as established by the Office of Management and Budget, then the county wage per job, as defined in paragraph (a) of this subdivision, shall be used for the school district, as signified by the school district number;

(c) “Regional wage ratio”, the ratio of the regional wage per job divided by the state median wage per job;

(d) “State median wage per job”, the fifty-eighth highest county wage per job;

(6) “Free and reduced price lunch pupil count”, for school districts not eligible for and those that do not choose the USDA Community Eligibility Option, the number of pupils eligible for free and reduced price lunch on the last Wednesday in January for the preceding school year who were enrolled as students of the district, as approved by the department in accordance with applicable federal regulations. For eligible school districts that choose the USDA Community Eligibility Option, the free and reduced price lunch pupil count shall be the percentage of free and reduced price lunch students calculated as eligible on the last Wednesday in January of the most recent school year that included household applications to determine free and reduced price lunch count multiplied by the district’s average daily attendance figure;

(7) “Free and reduced price lunch threshold” shall be calculated by dividing the total free and reduced price lunch pupil count of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(8) “Limited English proficiency pupil count”, the number in the preceding school year of pupils aged three through twenty-one enrolled or preparing to enroll in an elementary school or secondary school who were not born in the United States or whose native language is a language other than English or are Native American or Alaskan native, or a native resident of the outlying areas, and come from an environment where a language other than English has had a significant impact on such individuals’ level of English language proficiency, or are migratory, whose native language is a language other than English, and who come from an environment where a language other than English is dominant; and have difficulties in speaking, reading, writing, or understanding the English language sufficient to deny such individuals the ability to meet the state’s proficient level of achievement on state assessments described in Public Law 107-10, the ability to achieve successfully in classrooms where the language of instruction is English, or the opportunity to participate fully in society;

(9) “Limited English proficiency threshold” shall be calculated by dividing the total limited English proficiency pupil count of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(10) “Local effort”:

(a) For the fiscal year 2007 calculation, “local effort” shall be computed as the equalized assessed valuation of the property of a school district in calendar year 2004 divided by one hundred and multiplied by the performance levy less the percentage retained by the county assessor and collector plus one hundred percent of the amount received in fiscal year 2005 for school purposes from intangible taxes, fines, escheats, payments in lieu of taxes and receipts from state-assessed railroad and utility tax, one hundred percent of the amount received for school purposes pursuant to the merchants’ and manufacturers’ taxes under sections 150.010 to 150.370, one hundred percent of the amounts received for school purposes from federal properties under sections 12.070 and 12.080 except when such amounts are used in the calculation of federal impact aid pursuant to P.L. 81-874, fifty percent of Proposition C revenues received for school purposes from the school district trust fund under section 163.087, and one hundred percent of any local earnings or

income taxes received by the district for school purposes. Under this paragraph, for a special district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, a tax levy of zero shall be utilized in lieu of the performance levy for the special school district;

(b) In every year subsequent to fiscal year 2007, “local effort” shall be the amount calculated under paragraph (a) of this subdivision plus any increase in the amount received for school purposes from fines. If a district’s assessed valuation has decreased subsequent to the calculation outlined in paragraph (a) of this subdivision, the district’s local effort shall be calculated using the district’s current assessed valuation in lieu of the assessed valuation utilized in the calculation outlined in paragraph (a) of this subdivision. When a change in a school district’s boundary lines occurs because of a boundary line change, annexation, attachment, consolidation, reorganization, or dissolution under section 162.071, 162.081, sections 162.171 to 162.201, section 162.221, 162.223, 162.431, 162.441, or 162.451, or in the event that a school district assumes any territory from a district that ceases to exist for any reason, the department of elementary and secondary education shall make a proper adjustment to each affected district’s local effort, so that each district’s local effort figure conforms to the new boundary lines of the district. The department shall compute the local effort figure by applying the calendar year 2004 assessed valuation data to the new land areas resulting from the boundary line change, annexation, attachment, consolidation, reorganization, or dissolution and otherwise follow the procedures described in this subdivision;

(11) “Membership” shall be the average of:

(a) The number of resident full-time students and the full-time equivalent number of part-time students who were enrolled in the public schools of the district on the last Wednesday in September of the previous year and who were in attendance one day or more during the preceding ten school days; and

(b) The number of resident full-time students and the full-time equivalent number of part-time students who were enrolled in the public schools of the district on the last Wednesday in January of the previous year and who were in attendance one day or more during the preceding ten school days, plus the full-time equivalent number of summer school pupils. “Full-time equivalent number of part-time students” is determined by dividing the total number of hours for which all part-time students are enrolled by the number of hours in the school term. “Full-time equivalent number of summer school pupils” is determined by dividing the total number of hours for which all summer school pupils were enrolled by the number of hours required pursuant to section 160.011 in the school term. Only students eligible to be counted for average daily attendance shall be counted for membership;

(12) “Operating levy for school purposes”, the sum of tax rates levied for teachers’ and incidental funds plus the operating levy or sales tax equivalent pursuant to section 162.1100 of any transitional school district containing the school district, in the payment year, not including any equalized operating levy for school purposes levied by a special school district in which the district is located;

(13) “Performance district”, any district that has met performance standards and indicators as established by the department of elementary and secondary education for purposes of accreditation under section 161.092 and as reported on the final annual performance report for that district each year; for calculations to be utilized for payments in fiscal years subsequent to fiscal year 2018, the number of performance districts shall not exceed twenty-five percent of all public school districts;

(14) “Performance levy”, three dollars and forty-three cents;

(15) “School purposes” pertains to teachers’ and incidental funds;

(16) “Special education pupil count”, the number of public school students with a current individualized education program or services plan and receiving services from the resident district as of December first of the preceding school year, except for special education services provided through a school district established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, in which case the sum of the students in each district within the county exceeding the special education threshold of each respective district within the county shall be counted within the special district and not in the district of residence for purposes of distributing the state aid derived from the special education pupil count;

(17) “Special education threshold” shall be calculated by dividing the total special education pupil count of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, by the total average daily attendance of all included performance districts;

(18) “State adequacy target”, the sum of the current operating expenditures of every performance district that falls entirely above the bottom five percent and entirely below the top five percent of average daily attendance, when such districts are rank-ordered based on their current operating expenditures per average daily attendance, divided by the total average daily attendance of all included performance districts. The department of elementary and secondary education shall first calculate the state adequacy target for fiscal year 2007 and recalculate the state adequacy target every two years using the most current available data. The recalculation shall never result in a decrease from the state adequacy target as calculated for fiscal years 2017 and 2018 and any state adequacy target figure calculated subsequent to fiscal year 2018. Should a recalculation result in an increase in the state adequacy target amount, fifty percent of that increase shall be included in the state adequacy target amount in the year of recalculation, and fifty percent of that increase shall be included in the state adequacy target amount in the subsequent year. The state adequacy target may be adjusted to accommodate available appropriations as provided in subsection 7 of section 163.031;

(19) “Teacher”, any teacher, teacher-secretary, substitute teacher, supervisor, principal, supervising principal, superintendent or assistant superintendent, school nurse, social worker, counselor or librarian who shall, regularly, teach or be employed for no higher than grade twelve more than one-half time in the public schools and who is certified under the laws governing the certification of teachers in Missouri;

(20) “Weighted average daily attendance”, the average daily attendance plus the product of twenty-five hundredths multiplied by the free and reduced price lunch pupil count that exceeds the free and reduced price lunch threshold, plus the product of seventy-five hundredths multiplied by the number of special education pupil count that exceeds the special education threshold, plus the product of six-tenths multiplied by the number of limited English proficiency pupil count that exceeds the limited English proficiency threshold. For special districts established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, weighted average daily attendance shall be the average daily attendance plus the product of twenty-five hundredths multiplied by the free and reduced price lunch pupil count that exceeds the free and reduced price lunch threshold, plus the product of seventy-five hundredths multiplied by the sum of the special education pupil count that exceeds the threshold for each county district, plus the product of six-tenths multiplied by the limited English proficiency pupil count that exceeds the limited English proficiency threshold. None of the districts comprising a special district

established under sections 162.815 to 162.940 in a county with a charter form of government and with more than one million inhabitants, shall use any special education pupil count in calculating their weighted average daily attendance.”; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Koenig moved that **SS No. 2** for **SCS** for **SB 313**, as amended, be adopted, which motion prevailed.

On motion of Senator Koenig, **SS No. 2** for **SCS** for **SB 313**, as amended, was declared perfected and ordered printed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 261**, entitled:

An Act to amend chapter 595, RSMo, by adding thereto one new section relating to human trafficking hotline posters, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 111**, entitled:

An Act to repeal section 70.427, RSMo, and to enact in lieu thereof one new section relating to collective bargaining units within the bi-state development agency.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 181**, entitled:

An Act to amend chapter 577, RSMo, by adding thereto one new section relating to law enforcement, with an emergency clause.

Emergency Clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 719**, entitled:

An Act to repeal section 89.020, RSMo, and to enact in lieu thereof three new sections relating to property classification.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 571**, entitled:

An Act to repeal section 319.318, RSMo, and to enact in lieu thereof three new sections relating to natural resources.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 294**, entitled:

An Act to amend chapter 195, RSMo, by adding thereto one new section relating to immunity for persons who seek medical assistance for a drug or alcohol overdose.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 576**, entitled:

An Act to repeal sections 302.020 and 304.005, RSMo, and to enact in lieu thereof three new sections relating to the operation of motorcycles or motortricycles, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 813**, entitled:

An Act to repeal sections 332.081 and 345.051, RSMo, and to enact in lieu thereof six new sections relating to regulation of certain professions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 815**, entitled:

An Act to repeal sections 335.021 and 345.051, RSMo, and to enact in lieu thereof three new sections relating to the regulation of certain professions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HB 29**, entitled:

An Act to repeal sections 311.020, 311.055, 311.179, 311.185, 311.275, 311.355, 311.420, 311.462, 311.510, and 311.540, RSMo, and to enact in lieu thereof twelve new sections relating to intoxicating liquor.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 170**, entitled:

An Act to repeal sections 195.010 and 195.017, RSMo, and to enact in lieu thereof seven new sections relating to industrial hemp, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joel Walters, 17584 Bearpath Trail, Eden Prairie, Hennepin County, Minnesota 55347, as Director of the Department of Revenue, for a term ending at the pleasure of the Governor, and until his successor is duly appointed and qualified.

Respectfully submitted,

Eric R. Greitens

Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 6, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Barth L. Fraker, Republican, 530 North Elm Street, Marshfield, Webster County, Missouri 65706, as a member of the State Board of Senior Services, for a term ending August 30, 2020, and until his successor is duly appointed and qualified; vice, Barbara J. Gilchrist, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Schatz offered Senate Resolution No. 689, regarding Right Honorable Jacob Oulanyah, which was adopted.

INTRODUCTION OF GUESTS

Senator Hegeman introduced to the Senate, Steve Smith, Roger Berhorst, Tom Golder, Brandon Steffen, Craig Moeller and Steve Joannes, line workers from Missouri Electric Cooperatives.

Senator Riddle introduced to the Senate, line workers from Ameren Missouri.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m. Tuesday, April 11, 2017.

SENATE CALENDAR

FIFTY-SECOND DAY—TUESDAY, APRIL 11, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 275
HCS#2 for HB 502
HCS for HB 142
HCS for HB 340
HCS for HB 780
HCS for HB 573
HCS for HB 542
HCS for HB 261

HB 111-Mathews
HCS for HB 181
HB 719-Rhoads
HB 571-Engler
HB 294-Lynch
HCS for HB 576
HB 813-Basye
HB 815-Basye

HCS for HB 29

HB 170-Curtman

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal
(In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 469-Schatz
SB 517-Wasson
SB 435-Cunningham, with SCS

SB 451-Nasheed
SB 419-Riddle
SB 264-Dixon

HOUSE BILLS ON THIRD READING

HB 288-Fitzpatrick (Kehoe)

HCS for HBs 90 & 68 (Schatz)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard
SB 6-Richard, with SCS
SB 13-Dixon
SB 20-Brown
SB 21-Brown
SB 28-Sater, with SCS (pending)
SB 32-Emery, with SCS
SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)
SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending)
SBs 44 & 63-Romine, with SCS
SB 46-Libla, with SCS
SB 49-Walsh, with SCS
SB 61-Hegeman, with SCS
SB 67-Onder, et al, with SS, SA 1 & SSA 1
for SA 1 (pending)
SB 68-Onder and Nasheed
SB 76-Munzlinger
SB 80-Wasson, with SCS

SB 81-Dixon
SB 83-Dixon
SB 85-Kraus, with SCS
SB 88-Brown, with SCS
SB 96-Sater and Emery
SB 97-Sater, with SCS
SB 99-Emery
SB 102-Cunningham, with SCS
SB 103-Wallingford
SB 109-Holsman, with SCS
SB 115-Schupp, with SCS
SB 117-Schupp, with SCS
SB 122-Munzlinger, with SCS
SB 123-Munzlinger
SB 126-Wasson
SB 129-Dixon and Sifton, with SCS
SB 130-Kraus, with SCS
SB 133-Chappelle-Nadal
SB 138-Sater
SB 141-Emery

SB 142-Emery	SB 250-Kehoe
SB 144-Wallingford	SB 252-Dixon, with SCS
SB 145-Wallingford, with SCS	SB 258-Munzlinger
SB 147-Romine	SB 259-Munzlinger
SB 156-Munzlinger, with SCS	SB 260-Munzlinger
SB 157-Dixon, with SCS	SB 261-Munzlinger
SB 158-Dixon	SB 262-Munzlinger
SB 163-Romine	SB 263-Riddle
SB 169-Dixon, with SCS	SB 267-Schatz, with SCS
SB 171-Dixon and Sifton, with SCS	SB 271-Wasson and Richard, with SCS
SB 176-Dixon	SB 280-Hoskins, with SCS
SB 177-Dixon, with SCS	SB 284-Hegeman, with SCS
SB 178-Dixon	SBs 285 & 17-Koenig, with SCS
SB 180-Nasheed, with SCS	SB 286-Rizzo
SB 183-Hoskins, with SCS	SB 290-Schatz, with SCS
SB 184-Emery, with SS (pending)	SB 295-Schaaf, with SCS
SB 185-Onder, et al, with SCS	SB 298-Curls
SB 188-Munzlinger, with SCS	SB 303-Wieland, with SCS
SB 189-Kehoe, with SCS	SB 311-Wasson, with SCS
SB 190-Emery, with SCS & SS#2 for SCS (pending)	SBs 314 & 340-Schatz, et al, with SCS
SB 196-Koenig	SB 316-Rowden, with SCS
SB 199-Wasson	SB 325-Kraus
SB 200-Libla	SBs 327, 238 & 360-Romine, with SCS
SB 201-Onder, with SCS	SB 328-Romine, with SCS, with SCS & SA 3 (pending)
SB 203-Sifton, with SCS	SB 330-Munzlinger
SB 204-Sifton	SB 331-Hegeman
SB 207-Sifton	SB 333-Schaaf, with SCS
SB 209-Wallingford	SB 336-Wieland
SB 210-Onder, with SCS	SB 348-Wasson
SB 220-Riddle, with SCS & SS for SCS (pending)	SB 349-Wasson
SB 221-Riddle	SB 358-Wieland
SB 223-Schatz, with SCS	SB 362-Hummel
SB 227-Koenig, with SCS	SB 368-Rowden
SB 228-Koenig, with SS & SA 1 (pending)	SB 371-Schaaf
SB 230-Riddle	SB 373-Curls, with SA 1 & point of order (pending)
SB 232-Schatz	SB 376-Hoskins
SB 233-Wallingford	SB 378-Wallingford
SB 234-Libla, with SCS	SB 379-Schatz
SB 239-Rowden, with SCS	SB 381-Riddle
SB 242-Emery, with SCS	SB 383-Eigel and Wieland
SB 243-Hegeman	SB 384-Rowden, with SCS
SB 247-Kraus, with SCS	SB 389-Sater, with SCS

SB 391-Munzlinger
 SB 392-Holsman
 SB 406-Wasson and Sater
 SB 409-Koenig
 SB 410-Schatz
 SB 413-Munzlinger
 SB 418-Hegeman, with SCS
 SB 422-Cunningham, with SCS
 SB 426-Wasson, with SCS
 SB 427-Wasson
 SB 430-Cunningham, with SCS
 SB 433-Sater, with SCS

SB 442-Hegeman
 SB 445-Rowden
 SB 448-Emery
 SB 468-Hegeman
 SB 475-Schatz
 SB 485-Hoskins
 SB 490-Schupp
 SB 526-Brown
 SJR 9-Romine, with SCS
 SJR 11-Hegeman, with SCS
 SJR 12-Eigel
 SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)
 HB 35-Plocher (Dixon)
 HB 51-Andrews, with SCS (Hegeman)
 HCS for HB 66, with SCS (Sater)
 HB 85-Redmon, with SCS (Hegeman)
 HCS for HBs 91, 42, 131, 265 & 314
 (Brown)
 HB 93-Lauer, with SCS (Wasson)
 HB 95-McGaugh (Emery)
 HB 104-Love (Brown)
 HCS for HB 115, with SCS (Wasson)
 HCS for HB 130, with SCS, SS for SCS &
 SA 6 (pending) (Onder)
 HCS for HBs 190 & 208 (Eigel)
 HB 207-Fitzwater (Romine)

HB 251-Taylor, with SCS, SS for SCS, SA 2
 & SA 3 to SA 2 (pending) (Onder)
 HCS for HB 292, with SCS (Cunningham)
 HCS for HBs 302 & 228, with SCS (Schatz)
 HB 336-Shull (Rowden)
 HCS for HBs 337, 259 & 575 (Schatz)
 HCS for HBs 339 & 714, with SCS (Rowden)
 HCS for HB 427, with SCS (Kehoe)
 HCS for HB 451 (Wasson)
 HCS for HB 460 (Munzlinger)
 HB 461-Kolkmeier (Munzlinger)
 HB 462-Kolkmeier (Munzlinger)
 HB 655-Engler (Dixon)
 HCS for HBs 1194 & 1193 (Hegeman)
 HCB 3-Fitzpatrick (Koenig)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe
 SCR 9-Holsman

SCR 14-Hoskins
 SCR 21-Wallingford

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SECOND DAY—TUESDAY, APRIL 11, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Senator Wallingford offered the following prayer:

“Great peace have those who love your law; nothing can make them stumble.” (Psalm 119:165)

O God, King of the Universe: You have given Your law to assist us to live abundantly and fully each day. Many of the laws we attempt to write flow from Your law in order to help protect life and create harmony among our people. Your graciousness blesses us to meet the challenges this week brings to us; please strengthen us for the work we have to do and help us to be helpful and caring toward those who work on our behalf. And help us remember always to be grateful for Your grace, mercy, love and presence and all we owe You that sustain us each day. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 690, regarding A.T. Still University-Kirksville College of Osteopathic Medicine, which was adopted.

Senators Kehoe and Brown offered Senate Resolution No. 691, regarding the Fiftieth Wedding Anniversary of Joseph Kent and Linda Katherine McKee, Centertown, which was adopted.

Senator Hegeman offered Senate Resolution No. 692, regarding Eagle Scout Braden T. Ewing, Liberty, which was adopted.

Senator Romine offered Senate Resolution No. 693, regarding Julia Evens, Festus, which was adopted.

Senator Romine offered Senate Resolution No. 694, regarding Kevin Alan Evens, Festus, which was adopted.

Senator Romine offered Senate Resolution No. 695, regarding Rhonda Short, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 696, regarding Charles Wilson “Chuck” Gray, De Soto, which was adopted.

Senator Sifton offered Senate Resolution No. 697, regarding Bethesda Hawthorne Place, Oakland, which was adopted.

Senator Cunningham offered Senate Resolution No. 698, regarding James Murrell, West Plains, which was adopted.

Senator Cunningham offered Senate Resolution No. 699, regarding Sherry Rosenbaum, Summersville, which was adopted.

Senator Richard offered Senate Resolution No. 700, regarding Bill and Susan Carlsten, Neosho, which was adopted.

Senator Richard offered Senate Resolution No. 701, regarding the late Jim Marcus and Sonya Marcus, Joplin, which was adopted.

Senator Richard offered Senate Resolution No. 702, regarding Dorothy Snodgrass, Lockwood, which was adopted.

REFERRALS

President Pro Tem Richard referred **HCS** for **HBs 90** and **68** to the Committee on Fiscal Oversight.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 275**—Transportation, Infrastructure and Public Safety.

HCS No. 2 for **HB 502**—Progress and Development.

HCS for **HB 142**—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 340—Government Reform.

HCS for HB 780—Health and Pensions.

HCS for HB 573—Government Reform.

HCS for HB 542—Transportation, Infrastructure and Public Safety.

HCS for HB 261—Judiciary and Civil and Criminal Jurisprudence.

HB 111—General Laws.

HCS for HB 181—Transportation, Infrastructure and Public Safety.

HB 719—Agriculture, Food Production and Outdoor Resources.

HB 571—Commerce, Consumer Protection, Energy and the Environment.

HB 294—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 576—Transportation, Infrastructure and Public Safety.

HB 813—Professional Registration.

HB 815—Professional Registration.

HCS for HB 29—Economic Development.

HB 170—Agriculture, Food Production and Outdoor Resources.

HOUSE BILLS ON THIRD READING

Senator Onder moved that **HCS for HB 130**, with **SCS**, **SS for SCS** and **SA 6** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 6 was again taken up.

At the request of Senator Wieland, **SA 6** was withdrawn.

SS for SCS for HCS for HB 130, as amended, was again taken up.

At the request of Senator Onder, **SS for SCS for HCS for HB 130**, as amended, was withdrawn.

Senator Onder offered **SS No. 2 for SCS for HCS for HB 130**, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 130

An Act to repeal sections 67.1809 and 67.1819, RSMo, and to enact in lieu thereof twenty-nine new sections relating to passenger transportation companies, with penalty provisions.

Senator Onder moved that **SS No. 2 for SCS for HCS for HB 130** be adopted, which motion prevailed.

On motion of Senator Onder, **SS No. 2** for **SCS** for **HCS** for **HB 130** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senator Walsh—1

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Onder, title to the bill was agreed to.

Senator Onder moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Curls moved that **SB 373**, with **SA 1** and point of order (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

At the request of Senator Brown, the point of order was withdrawn.

SA 1 was again taken up.

At the request of Senator Wallingford, **SA 1** was withdrawn.

On motion of Senator Curls, **SB 373** was declared perfected and ordered printed.

Senator Emery moved that **SB 99** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Emery, **SB 99** was declared perfected and ordered printed.

Senator Sifton moved that **SB 204** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

On motion of Senator Sifton, **SB 204** was declared perfected and ordered printed.

Senator Schaaf moved that **SB 371** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Onder offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 371, Page 5, Section 195.207, Line 6, by striking said line and inserting in lieu thereof the following:

“(2) Is composed of at least five percent cannabidiol”.

Senator Onder moved that the above amendment be adopted, which motion prevailed.

Senator Rowden assumed the Chair.

Senator Munzlinger offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Bill No. 371, Page 5, Section 195.207, Line 4, by striking all of said line and inserting in lieu thereof the following:

“(1) Is composed of no more than three-tenths percent”; and

Further amend said bill, page 7, Section 261.265, Line 22, by striking all of said line and inserting in lieu thereof the following:

“a. Three-tenths of one percent on a dry weight basis; or”; and

Further amend said bill and section, page 8, line 69, by striking all of said line and inserting in lieu thereof the following:

“(1) Three-tenths of one percent on a dry weight basis; or”.

Senator Munzlinger moved that the above amendment be adopted.

Senator Onder offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Bill No. 371, Page 5, Section 195.207, Line 4, by striking “nine-tenths” and inserting in lieu thereof “**one-tenth**”; and

Further amend said bill, page 7, section 261.265, line 22, by striking “Nine-tenths” and inserting in lieu thereof the following: “**One-tenth**”; and

Further amend said bill and section, page 8, line 69, by striking “Nine-tenths” and inserting in lieu thereof the following: “**One-tenth**”.

Senator Onder moved that the above substitute amendment be adopted.

At the request of Senator Schaaf, **SB 371**, with **SA 2** and **SSA 1** for **SA 2** (pending), was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 6:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

PRIVILEGED MOTIONS

Having voted on the prevailing side, Senator Koenig moved that the vote by which **SS No. 2** for **SCS** for **SB 313** was perfected be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curly	Dixon	Emery	Hegeman
Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Sifton	Wallingford	Wasson	Wieland—28

NAYS—Senators

Hummel	Schupp	Walsh—3
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Absent—Senators

Eigel	Silvey—2
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Absent with leave—Senators—None

Vacancies—1

Having voted on the prevailing side, Senator Koenig moved that the vote by which **SS No. 2** for **SCS** for **SB 313**, as amended, was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schaaf	Schatz	Schupp	Sifton	Wallingford	Wasson	Wieland—28

NAYS—Senators

Curly	Hummel	Walsh—3
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Absent—Senators

Eigel	Silvey—2
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Absent with leave—Senators—None

Vacancies—1

SS No. 2 for **SCS** for **SB 313**, as amended, was again taken up.

Senator Koenig offered **SA 14**:

SENATE AMENDMENT NO. 14

Amend Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 313, Pages 53-54, Section 167.131, by striking all of said section and inserting in lieu thereof the following:

“167.131. 1. The board of education of each district in this state that does not maintain [an accredited] **a high school** [pursuant to the authority of the state board of education to classify schools as established in

section 161.092] **offering work through the twelfth grade** shall pay [the] tuition [of] **as calculated by the receiving district under subsection 2 of this section** and provide transportation consistent with the provisions of section 167.241 for each pupil resident therein **who has completed the work of the highest grade offered in the attendance centers of the district and** who attends an accredited **public high** school in another district of the same or an adjoining county or who attends an approved charter school in the same or an adjoining county.

2. The rate of tuition to be charged by the district attended and paid by the sending district is the per pupil cost of maintaining the district's grade level grouping which includes the school attended. The rate of tuition to be charged by the approved charter school attended and paid by the sending district is the per pupil cost of maintaining the approved charter school's grade level grouping. For a district, the cost of maintaining a grade level grouping shall be determined by the board of education of the district but in no case shall it exceed all amounts spent for teachers' wages, incidental purposes, debt service, maintenance and replacements. For an approved charter school, the cost of maintaining a grade level grouping shall be determined by the approved charter school but in no case shall it exceed all amounts spent by the district in which the approved charter school is located for teachers' wages, incidental purposes, debt service, maintenance, and replacements. The term "debt service", as used in this section, means expenditures for the retirement of bonded indebtedness and expenditures for interest on bonded indebtedness. Per pupil cost of the grade level grouping shall be determined by dividing the cost of maintaining the grade level grouping by the average daily pupil attendance. If there is disagreement as to the amount of tuition to be paid, the facts shall be submitted to the state board of education, and its decision in the matter shall be final. Subject to the limitations of this section, each pupil shall be free to attend the public school of his or her choice.

3. For purposes of this section, "approved charter school" means a charter school that has existed for less than three years or a charter school with a three-year average score of seventy percent or higher on its annual performance report."; and

Further amend said bill, Pages 82-86, Section 210.861, by striking all of said section and inserting in lieu thereof the followng:

"210.861. 1. When the tax prescribed by section 210.860 or section 67.1775 is established, the governing body of the city or county or city not within a county shall appoint a board of directors consisting of nine members, who shall be residents of the city or county or city not within a county. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections 205.975 to 205.990 shall

be the board members for the community children's services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond or comparable insurance coverage for theft, misappropriation, mismanagement, or other acts, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his or her duties and faithful accounting of all moneys that may come into his or her hands. The treasurer shall enter into the surety bond or comparable insurance coverage with a surety company or insurer authorized to do business in Missouri, and the cost of such bond or comparable insurance coverage shall be paid by the board of directors. The board shall administer and expend all funds generated pursuant to section 210.860 or section 67.1775 in a manner consistent with this section. The board shall not be mandated to expend funds by an act of state legislation without a majority vote of the county or city not within a county, excluding any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775.

4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services:

(1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;

(2) Outpatient chemical dependency and psychiatric treatment programs; counseling and related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent services; crisis intervention services, inclusive of telephone hotlines; and prevention programs which promote healthy lifestyles among children and youth and strengthen families;

(3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings.

5. Any county, excluding any county with a charter form of government and with more than nine hundred fifty thousand inhabitants, or city not within a county in which voters have approved the levy of a tax under section 67.1775 or section 210.860 shall not add services in addition to those which are set forth in subsection 4 of this section at the time such levy is approved by the voters, unless such services authorized by statute after the voters have approved the levy are approved by the voters in the same manner as the original levy was approved. A proposal to add services shall be approved as set forth in section 67.1775 or section 210.860.

6. Revenues collected and deposited in the community children's services fund may not be expended for inpatient medical, psychiatric, and chemical dependency services, or for transportation services.

7. (1) In fiscal years 2018 and any fiscal year thereafter, in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants that contains all or any

portion of a school district that has been designated as unaccredited or provisionally accredited by the state board of education, up to five percent of the community children's services fund's yearly revenues, based on the total dollar amount needed to provide services as determined by a needs assessment, shall be devoted to a grant program that delivers services directly to schools in such districts according to the procedure in this subsection. The president of the school board shall notify the board of directors within five business days after such designation. The board shall, in its budget process for the following fiscal year, ensure that the total amount of funds needed to provide services based on the needs assessment is allocated according to this subsection, not to exceed five percent of the fund's yearly revenues. If the total amount of funds needed to provide such services exceeds five percent of the fund's yearly revenues, the funds shall be distributed in an order based on the greatest need for each district. Any moneys distributed from the fund to a district shall be subject to an annual audit.

(2) The board shall undertake a needs assessment for any such school district within ninety days after receipt of the notice under this subsection. The needs assessment shall be used as a basis for comprehensive mental health wraparound services delivery for which the board shall contract as provided under subsection 3 of this section.

(3) The board shall appoint one of its members to a direct school service coordinating committee, which is hereby created. The board may appoint an additional one of its members to serve as an ex officio member. The board shall appoint a social worker to the committee. The school board of each affected district shall appoint two parents with a child enrolled in a public school in the district based on school district identification numbers from the department of elementary and secondary education, rotating year to year from highest number to lowest number. The school board of each affected district shall appoint a school services staff member. The superintendent of each affected district shall serve on the committee. An additional member from each affected district may be appointed to serve as an ex officio member.

(4) The direct school service coordinating committee shall provide recommendations and oversight to the program of contracted services under this subsection.

(5) If an additional district becomes unaccredited or provisionally accredited in the service area of the children's services fund, the general assembly shall review the percentage of revenue dedicated to the grant program for a possible increase.”; and

Further amend the title and enacting clause accordingly.

Senator Koenig moved that the above amendment be adopted, which motion prevailed.

Senator Koenig moved that **SS No. 2 for SCS for SB 313**, as amended, be adopted, which motion prevailed.

On motion of Senator Koenig, **SS No. 2 for SCS for SB 313**, as amended, was declared perfected and ordered printed.

SENATE BILLS FOR PERFECTION

Senator Brown moved that **SB 88**, with SCS, be taken up for perfection, which motion prevailed.

SCS for SB 88, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 88

An Act to amend chapter 340, RSMo, by adding thereto one new section relating to actions against veterinarians.

Was taken up.

Senator Brown moved that **SCS** for **SB 88** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **SB 88**, was declared perfected and ordered printed.

Senator Hoskins moved that **SB 376** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Hoskins offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 376, Page 1, In the Title, Line 3, of the title, by striking said line and inserting in lieu thereof the following: “designation of state dogs.”; and

Further amend said bill and page, Section 10.112, Line 5, by inserting after all of said line the following:

“10.113. The dog known as “Jim the Wonder Dog” is designated as Missouri’s Wonder Dog.”; and

Further amend the title and enacting clause accordingly.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Hoskins, **SB 376**, as amended, was declared perfected and ordered printed.

Senator Wasson moved that **SB 348** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Silvey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 348, Page 1, In the Title, Line 3, by inserting at the end of said line a period “.”; and further amend line 4, by striking all of said line; and

Further amend said bill and page, section A, line 4, by inserting immediately after said line the following:

“347.015. As used in sections 347.010 to 347.187, the following terms mean:

(1) “Articles of organization”, the articles referred to in section 347.039, filed with the secretary for the purpose of forming a limited liability company, as the same may be amended or restated from time to time as provided in sections 347.010 to 347.187;

(2) “Authorized person”, manager, or member, if management of the limited liability company is vested in the members;

(3) “Bankruptcy”, the entry of an order for relief by the court in a proceeding under the United States Bankruptcy Code, Title 11, U.S.C., as amended, or its equivalent under a state insolvency act or a similar law of other jurisdictions;

(4) “Business” includes every trade, occupation or profession;

(5) “Contribution”, cash, other property, the use of property, services rendered, a promissory note or other binding obligation to contribute cash or property or perform services or any other valuable consideration transferred by a person to the limited liability company as a prerequisite for membership in the limited liability company and any subsequent transfer to the limited liability company by a person in his capacity as a member;

(6) “Court”, includes every court and judge having jurisdiction in the case;

(7) “Domestic limited liability company” or “limited liability company”, a limited liability company organized and existing under sections 347.010 to 347.187;

(8) “Event of withdrawal”, an event that causes a person to cease to be a member as provided in section 347.123;

(9) **“First Responder”, the same meaning as in section 67.145 and his or her spouse;**

(10) “Foreign limited liability company”, a limited liability company formed under the laws of any jurisdiction other than the state of Missouri;

[(10)] (11) “Manager”, with respect to a limited liability company whose articles of organization state that management of the limited liability company is vested in one or more managers, the person or persons designated, appointed or elected as such in the manner provided in subsection 2 of section 347.079;

[(11)] (12) “Member”, any person that signs in person or by an attorney in fact, or otherwise is a party to the operating agreement at the time the limited liability company is formed and is identified as a member in that operating agreement and any person who is subsequently admitted as a member in a limited liability company in accordance with sections 347.010 to 347.187 and the operating agreement, until such time as an event of withdrawal occurs with respect to such person;

[(12)] (13) “Member’s interest”, a member’s share of the profits and losses of a limited liability company and the right to receive distributions of limited liability company assets;

[(13)] (14) **“Military spouse”, any person who is the spouse of a uniformed services member;**

(15) “Operating agreement”, any valid agreement or agreements, written or oral, among all members, or written declaration by the sole member concerning the conduct of the business and affairs of the limited liability company and the relative rights, duties and obligations of the members and managers, if any;

[(14)] (16) “Organizer”, any of the signers of the articles of organization;

[(15)] (17) “Person”, includes individuals, partnerships, domestic or foreign limited partnerships, domestic or foreign limited liability companies, domestic or foreign corporations, trusts, business trusts, employee stock ownership trusts, real estate investment trusts, estates, associations, and other business or not-for-profit entities;

[(16)] (18) “Real property”, includes land, any interest, leasehold or estate in land and any improvements thereon;

[(17)] (19) “Secretary”, the secretary of state for the state of Missouri and its delegates responsible for the administration of sections 347.010 to 347.187;

[(18)] (20) “Surviving entity”, the surviving or resulting person pursuant to a merger or consolidation

in which one or more domestic limited liability companies are parties;

(21) “Uniformed services member”, a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;

(22) “Veteran”, any individual defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency.

347.179. 1. The secretary shall charge and collect:

(1) For filing the original articles of organization, a fee of one hundred dollars;

(2) For filing the original articles of organization online, in an electronic format prescribed by the secretary of state, a fee of forty-five dollars;

(3) Applications for registration of foreign limited liability companies and issuance of a certificate of registration to transact business in this state, a fee of one hundred dollars;

(4) Amendments to and restatements of articles of limited liability companies to application for registration of a foreign limited liability company or any other filing otherwise provided for, a fee of twenty dollars;

(5) Articles of termination of limited liability companies or cancellation of registration of foreign limited liability companies, a fee of twenty dollars;

(6) For filing notice of merger or consolidation, a fee of twenty dollars;

(7) For filing a notice of winding up, a fee of twenty dollars;

(8) For issuing a certificate of good standing, a fee of five dollars;

(9) For a notice of the abandonment of merger or consolidation, a fee of twenty dollars;

(10) For furnishing a copy of any document or instrument, a fee of fifty cents per page;

(11) For accepting an application for reservation of a name, or for filing a notice of the transfer or cancellation of any name reservation, a fee of twenty dollars;

(12) For filing a statement of change of address of registered office or registered agent, or both, a fee of five dollars;

(13) For any service of notice, demand, or process upon the secretary as resident agent of a limited liability company, a fee of twenty dollars, which amount may be recovered as taxable costs by the party instituting such suit, action, or proceeding causing such service to be made if such party prevails therein;

(14) For filing an amended certificate of registration a fee of twenty dollars; and

(15) For filing a statement of correction a fee of five dollars.

2. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section and for application for reservation of a name in subdivision (11) of subsection 1 of this section shall be waived if an organizer who is listed as a member in the operating agreement of the limited liability company is **a first responder, a veteran, or** a member of the Missouri National Guard or any other active duty military, **who** resides in the state of Missouri, and provides proof of such service to the secretary of state.

3. Fees mandated in subdivisions (1), (2), and (3) of subsection 1 of this section and for application for reservation of a name in subdivision (11) of subsection 1 of this section shall be waived if an organizer who is listed as a member in the operating agreement if the limited liability company is a military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse's service to the secretary.”; and

Further amend said bill and page, section 347.740, line 5, by inserting immediately after said line the following:

“351.015. As used in this chapter, unless the context otherwise requires, **the following terms mean:**

(1) “Articles of incorporation”, includes the original articles of incorporation and all amendments thereto, and includes articles of merger or consolidation;

(2) “Authorized shares” [means], the aggregate number of shares of stock of all classes, whether with or without par value, which the corporation is authorized to issue. Shares of its own stock belonging to a corporation shall be deemed to be issued shares but not outstanding shares;

(3) “Certificate of stock” [means], a written instrument signed by or bearing the facsimile signature of the proper corporate officers, as required by this chapter, evidencing the fact that the person therein named is the holder of record of the share or shares therein described;

(4) “Control share acquisition” [means], the acquisition, directly or indirectly, by any person of ownership of, or the power to direct the exercise of voting power with respect to, issued and outstanding control shares. For the purposes of this chapter, shares acquired within ninety days of any acquisition of shares or shares acquired pursuant to a plan to make a control share acquisition are considered to have been acquired in the same acquisition. For the purposes of this chapter, a person who acquires shares in the ordinary course of business for the benefit of others in good faith and not for the purpose of circumventing this chapter has voting power only of shares in respect of which that person would be able to exercise or direct the exercise of votes without further instruction from others. The acquisition of any shares of an issuing public corporation does not constitute a control share acquisition if the acquisition is consummated in any of the following circumstances:

(a) Prior to June 13, 1984;

(b) Pursuant to a contract in existence prior to June 13, 1984;

(c) Pursuant to a will or other testamentary disposition, the laws of descent and distribution or by inter vivos gift where such gift is made in good faith and not for the purpose of circumventing section 351.407;

(d) Pursuant to a public offering, a private placement, or any other issuance of shares by an issuing public corporation;

(e) By, on behalf of, or pursuant to any benefit or other compensation plan or arrangement of an issuing public corporation;

(f) Pursuant to the conversion of debt securities into shares of an issuing public corporation under the terms of such debt securities;

(g) Pursuant to a binding contract, other than any contract created by, pursuant to, or in connection with a tender offer, whereby the holders of shares representing at least two-thirds of the voting power of an

issuing public corporation, such holders acting simultaneously, agreed to sell such shares to any person;

(h) Pursuant to the satisfaction of a pledge or other security interest created in good faith and not for the purpose of circumventing section 351.407;

(i) Pursuant to a merger or consolidation effected in compliance with sections 351.410 to 351.458 if the issuing public corporation is a party to the agreement of merger or consolidation;

(j) Pursuant to a binding contract or other arrangement with any individual, foreign or domestic corporation (whether or not for profit), partnership, limited liability company, unincorporated society or association, or other entity which, at any time within one year prior to the acquisition in question, owned shares representing more than fifty percent of the voting power of the issuing public corporation;

(k) By or from any person whose shares have been previously accorded voting rights pursuant to section 351.407; provided, the acquisition entitles the person making the acquisition, directly or indirectly, alone or as a part of a group, to exercise or direct the exercise of voting power of the corporation in the election of directors within a range of the voting power not in excess of the range of voting power associated with the shares to which voting rights have been previously accorded;

(5) “Control shares” [means], shares that, except for this chapter, would have voting power with respect to shares of an issuing public corporation that, when added to all other shares of the issuing public corporation owned by a person or in respect to which that person may exercise or direct the exercise of voting power, would entitle that person, immediately after acquisition of the shares, directly or indirectly, alone or as a part of a group, to exercise or direct the exercise of the voting power of the issuing public corporation in the election of directors within any of the following ranges of voting power:

(a) One-fifth or more but less than one-third of all voting power;

(b) One-third or more but less than a majority of all voting power;

(c) A majority or more of all voting power; provided, however, that shares which the person or the group have owned or of which the person or the group could have exercised or directed the voting for more than ten years shall not be deemed to be control shares and shall not be aggregated for the purpose of determining inclusion within the above-stated ranges;

(6) “Corporation” or “domestic corporation”, includes corporations organized under this chapter or subject to some or all of the provisions of this chapter except a foreign corporation;

(7) **“First Responder”, the same meaning as in section 67.145 and his or her spouse;**

(8) “Foreign corporation” [means], a corporation for profit organized under laws other than the laws of this state;

[(8)] (9) “Incorporator” [means], a signer of the original articles of incorporation;

[(9)] (10) “Interested shares” [means], the shares of an issuing public corporation in respect of which any of the following persons may exercise or direct the exercise of the voting power of the corporation in the election of directors:

(a) An acquiring person or member of a group with respect to a control share acquisition;

(b) Any officer of the issuing public corporation elected or appointed by the directors of the issuing public corporation;

(c) Any employee of the issuing public corporation who is also a director of such corporation;

[(10)] **(11)** “Issuing public corporation”, unless the articles of incorporation provide otherwise as to the applicability of this section, [means] a corporation that has a class of voting stock registered with the securities and exchange commission under Section 12 of the Exchange Act and is either (a) a corporation incorporated under the laws of the state of Missouri, or, (b) subdivision (2) of section 351.690 notwithstanding, any insurance company organized pursuant to the laws of Missouri and doing business under the provisions of chapter 376, provided that the bylaws of such insurance company expressly state that such insurance company shall, for the purposes of this chapter, be included within the definition of “issuing public corporation”;

[(11)] **(12)** “**Military spouse**”, any person who is the spouse of a uniformed services member;

(13) “Net assets”, for the purpose of determining the right of a corporation to purchase its own shares and of determining the right of a corporation to declare and pay dividends and the liabilities of directors therefor, shall not include shares of its own stock belonging to a corporation;

[(12)] **(14)** “Paid-in surplus” [means], all that part of the consideration received by the corporation for, or on account of, all shares issued which does not constitute stated capital minus such formal reductions from said sum as may have been effected in a manner permitted by this chapter;

[(13)] **(15)** “Person”, includes, without limitation, an individual, a foreign or domestic corporation whether not for profit or for profit, a partnership, a limited liability company, an unincorporated society or association, two or more persons having a joint or common interest, or any other entity;

[(14)] **(16)** “Registered office” [means], that office maintained by the corporation in this state, the address of which is on file in the office of the secretary of state;

[(15)] **(17)** “Shareholder” [means], one who is a holder of record of shares in a corporation;

[(16)] **(18)** “Shares”, are the units into which the shareholders’ rights to participate in the control of the corporation, in its surplus or profits, or in the distribution of its assets, are divided;

[(17)] **(19)** “Stated capital” [means], at any particular time the sum of:

(a) The par value of all shares then issued having a par value; and

(b) The consideration received by the corporation for all shares then issued without par value except such part thereof as may have been allocated otherwise than to stated capital in a manner permitted by law; and

(c) Such amounts not included in paragraphs (a) and (b) of this subdivision as may have been transferred to the stated capital account of the corporation, whether upon the issue of shares as a share dividend or otherwise, minus such formal reductions from said sum as may have been effected in a manner permitted by this chapter;

[(18)] **(20)** “Subscriber” [means], one who subscribes for shares in a corporation, whether before or after incorporation;

(21) “Uniformed services member”, a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;

(22) “Veteran”, any individual defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency.

351.065. 1. No corporation shall be organized under the general and business corporation law of Missouri unless the persons named as incorporators shall at or before the filing of the articles of incorporation pay to the director of revenue three dollars for the issuance of the certificate and fifty dollars for the first thirty thousand dollars or less of the authorized shares of the corporation and a further sum of five dollars for each additional ten thousand dollars of its authorized shares, and no increase in the authorized shares of the corporation shall be valid or effectual unless the corporation has paid the director of revenue five dollars for each ten thousand dollars or less of the increase in the authorized shares of the corporation, and the corporation shall file a duplicate receipt issued by the director of revenue for the payments required by this section to be made with the secretary of state as is provided by this chapter for the filing of articles of incorporation; except that the requirements of this section to pay incorporation taxes and fees shall not apply to foreign railroad corporations which built their lines of railway into or through this state prior to November 21, 1943.

2. For the purpose of this section, the dollar amount of authorized shares is the par value thereof in the case of shares with par value and is one dollar per share in the case of shares without par value.

3. Fees mandated in subsection 1 of this section shall be waived if a majority shareholder, officer, or director of the organizing corporation is:

(1) A military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse’s service to the secretary;

(2) A first responder who provides proof of such service as a first responder to the secretary of state; or

(3) A veteran or a member of the Missouri National Guard or any other active duty military, who resides in the state of Missouri, and provides proof of such service to the secretary of state.”; and

Further amend said bill and page, section 351.127, line 7, by inserting immediately after said line the following:

“354.010. As used in sections 354.010 to 354.380, unless the context clearly indicates otherwise, the following terms mean:

(1) “Corporation”, a domestic health services corporation subject to the provisions of sections 354.010 to 354.380;

(2) “Director”, the director of the department of insurance, financial institutions and professional registration of the state of Missouri;

(3) “First Responder”, the same meaning as in section 67.145 and his or her spouse;

(4) “Health services”, the health care and services provided by hospitals, or other health care institutions, organizations, associations or groups, and by doctors of medicine, osteopathy, dentistry, chiropractic, optometry and podiatry, nursing services, medical appliances, equipment and supplies, drugs, medicines, ambulance services, and other therapeutic services and supplies;

[(4)] (5) “Health services corporation”, any not-for-profit corporation heretofore or hereafter organized or operating for the purposes of establishing and operating a nonprofit plan or plans under which prepaid

hospital care, medical-surgical care and other health care and services, or reimbursement therefor, may be furnished to a member or beneficiary;

[(5)] (6) “Member” or “beneficiary”, a natural person who is entitled to receive health services, or reimbursement therefor, pursuant to a contract made by a health services corporation with or for the benefit of such person;

[(6)] (7) “Membership contract”, any agreement, contract or certificate by which a health services corporation describes the health services or benefits to be provided thereunder to its members or beneficiaries;

[(7)] (8) **“Military spouse”, any person who is the spouse of a uniformed services member;**

(9) “Not-for-profit corporation”, a nonprofit domestic corporation organized under or accepting the provisions of chapter 355 or incorporated under chapter 352;

(10) **“Uniformed services member”, a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;**

(11) **“Veteran”, any individual defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency.**

354.150. 1. Every health services corporation subject to the provisions of sections 354.010 to 354.380 shall pay the following fees to the director for the administration and enforcement of the provisions of this chapter:

(1) For filing the declaration required on organization of each domestic company, two hundred fifty dollars;

(2) For filing statement and certified copy of charter required of foreign companies, two hundred fifty dollars;

(3) For filing application to renew certificate of authority, along with all required annual reports, including the annual statement, actuarial statement, risk-based capital report, report of valuation of policies or other obligations of assurance, and audited financial report of any company doing business in this state, one thousand five hundred dollars;

(4) For filing any paper, document, or report not filed under subdivision (1), (2), or (3) of this section but required to be filed in the office of the director, fifty dollars each;

(5) For affixing the seal of office of the director, ten dollars;

(6) For accepting each service of process upon the company, ten dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived if a majority shareholder, officer, or director of the organizing corporation is **a first responder, a veteran, or** a member of the Missouri National Guard or any other active duty military, **who** resides in the state of Missouri, and provides proof of such service to the secretary of state.

3. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section shall be waived if a majority shareholder, officer, or director of the organizing corporation is a military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse’s service to the secretary.

355.021. 1. The secretary of state shall collect the following fees when the documents described in this subsection are delivered for filing:

- (1) Articles of incorporation, twenty dollars;
- (2) Application for reserved name, twenty dollars;
- (3) Notice of transfer of reserved name, two dollars;
- (4) Application for renewal of reserved name, twenty dollars;
- (5) Corporation's statement of change of registered agent or registered office or both, five dollars;
- (6) Agent's statement of change of registered office for each affected corporation, five dollars;
- (7) Agent's statement of resignation, five dollars;
- (8) Amendment of articles of incorporation, five dollars;
- (9) Restatement of articles of incorporation with amendments, five dollars;
- (10) Articles of merger, five dollars;
- (11) Articles of dissolution, five dollars;
- (12) Articles of revocation of dissolution, five dollars;
- (13) Application for reinstatement following administrative dissolution, twenty dollars;
- (14) Application for certificate of authority, twenty dollars;
- (15) Application for amended certificate of authority, five dollars;
- (16) Application for certificate of withdrawal, five dollars;
- (17) Corporate registration report filed annually, ten dollars if filed in a written format or five dollars if filed electronically in a format prescribed by the secretary of state;
- (18) Corporate registration report filed biennially, twenty dollars if filed in a written format or ten dollars if filed electronically in a format prescribed by the secretary of state;
- (19) Articles of correction, five dollars;
- (20) Certificate of existence or authorization, five dollars;
- (21) Any other document required or permitted to be filed by this chapter, five dollars.

2. The secretary of state shall collect a fee of ten dollars upon being served with process under this chapter. The party to a proceeding causing service of process is entitled to recover the fee paid the secretary of state as costs if the party prevails in the proceeding.

3. The secretary of state shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic or foreign corporation: in a written format fifty cents per page plus five dollars for certification, or in an electronic format five dollars for certification and copies.

4. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section shall be waived if an initial officer or director of the nonprofit corporation is **a first responder, a veteran, or** a member of the Missouri National Guard or any other active duty military, **who** resides in the state of Missouri, and provides proof of such service to the secretary of state.

5. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section and subsection 3 of this section shall be waived if an initial officer or director of the nonprofit corporation is a military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse's service to the secretary.”; and

Further amend said bill, page 2, section 355.023, line 5, by inserting immediately after said line the following:

“355.066. Unless the context otherwise requires or unless otherwise indicated, as used in this chapter the following terms mean:

(1) “Approved by or approval by the members”, approved or ratified by the affirmative vote of a majority of the voters represented and voting at a duly held meeting at which a quorum is present, which affirmative votes also constitute a majority of the required quorum, or by a written ballot or written consent in conformity with this chapter, or by the affirmative vote, written ballot or written consent of such greater proportion, including the votes of all the members of any class, unit or grouping as may be provided in the articles, bylaws or this chapter for any specified member action;

(2) “Articles of incorporation” or “articles”, amended and restated articles of incorporation and articles of merger;

(3) “Board” or “board of directors”, the board of directors except that no person or group of persons is the board of directors because of powers delegated to that person or group pursuant to section 355.316;

(4) “Bylaws”, the code or codes of rules, other than the articles, adopted pursuant to this chapter for the regulation or management of the affairs of the corporation, irrespective of the name or names by which such rules are designated. Bylaws shall not include legally enforceable covenants, declarations, indentures or restrictions imposed upon members by validly recorded indentures, declarations, covenants, restrictions or other recorded instruments, as they apply to real property;

(5) “Class”, a group of memberships which have the same rights with respect to voting, dissolution, redemption and transfer. For the purpose of this section, “rights” shall be considered the same if they are determined by a formula applied uniformly;

(6) “Corporation”, public benefit and mutual benefit corporations;

(7) “Delegates”, those persons elected or appointed to vote in a representative assembly for the election of a director or directors or on other matters;

(8) “Deliver”, includes mail;

(9) “Directors”, individuals, designated in the articles or bylaws or elected by the incorporator or incorporators, and their successors and individuals elected or appointed by any other name or title to act as members of the board;

(10) “Distribution”, the payment of a dividend or any part of the income or profit of a corporation to its members, directors or officers;

(11) “Domestic corporation”, a Missouri corporation;

(12) “Effective date of notice”, is defined in section 355.071;

(13) “Employee”, does not include an officer or director who is not otherwise employed by the

corporation;

(14) “Entity”, domestic corporations and foreign corporations, business corporations and foreign business corporations, for-profit and nonprofit unincorporated associations, business trusts, estates, partnerships, trusts, and two or more persons having a joint or common economic interest, and a state, the United States, and foreign governments;

(15) “File”, “filed” or “filing”, filed in the office of the secretary of state;

(16) **“First Responder”, the same meaning as in section 67.145 and his or her spouse;**

(17) “Foreign corporation”, a corporation organized under a law other than the laws of this state which would be a nonprofit corporation if formed under the laws of this state;

[(17)] (18) “Governmental subdivision”, includes authority, county, district, and municipality;

[(18)] (19) “Includes”, denotes a partial definition;

[(19)] (20) “Individual”, a natural person;

[(20)] (21) “Means”, denotes a complete definition;

[(21)] (22) “Member”, without regard to what a person is called in the articles or bylaws, any person or persons who on more than one occasion, pursuant to a provision of a corporation’s articles or bylaws, have the right to vote for the election of a director or directors; but a person is not a member by virtue of any of the following:

(a) Any rights such person has as a delegate;

(b) Any rights such person has to designate a director or directors; or

(c) Any rights such person has as a director;

[(22)] (23) “Membership”, the rights and obligations a member or members have pursuant to a corporation’s articles, bylaws and this chapter;

[(23)] (24) **“Military spouse”, any person who is the spouse of a uniformed services member;**

(25) “Mutual benefit corporation”, a domestic corporation which is formed as a mutual benefit corporation pursuant to sections 355.096 to 355.121 or is required to be a mutual benefit corporation pursuant to section 355.881;

[(24)] (26) “Notice” [is defined], **as described** in section 355.071;

[(25)] (27) “Person”, includes any individual or entity;

[(26)] (28) “Principal office”, the office, in or out of this state, so designated in the corporate registration report filed pursuant to section 355.856 where the principal offices of a domestic or foreign corporation are located;

[(27)] (29) “Proceeding”, includes civil suits and criminal, administrative, and investigatory actions;

[(28)] (30) “Public benefit corporation”, a domestic corporation which is formed as a public benefit corporation pursuant to sections 355.096 to 355.121, or is required to be a public benefit corporation pursuant to section 355.881;

[(29)] (31) “Record date”, the date established pursuant to sections 355.181 to 355.311 on which a

corporation determines the identity of its members for the purposes of this chapter;

[(30)] **(32) “Resident”, a full-time resident of a long-term care facility or residential care facility;**

[(31)] **(33) “Secretary”, the corporate officer to whom the board of directors has delegated responsibility pursuant to subsection 2 of section 355.431 for custody of the minutes of the directors’ and members’ meetings and for authenticating the records of the corporation;**

[(32)] **(34) “State”, when referring to a part of the United States, includes a state or commonwealth, and its agencies and governmental subdivisions, and any territory or insular possession, and its agencies and governmental subdivisions, of the United States;**

(35) “Uniformed services member”, a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;

[(33)] **(36) “United States”, includes any agency of the United States;**

(37) “Veteran”, any individual defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency;

[(34)] **(38) “Vote”, includes authorization by written ballot and written consent; and**

[(35)] **(38) “Voting power”, the total number of votes entitled to be cast for the election of directors at the time the determination of voting power is made, excluding a vote which is contingent upon the happening of a condition or event that has not occurred at the time. Where a class is entitled to vote as a class for directors, the determination of voting power of the class shall be based on the percentage of the number of directors the class is entitled to elect out of the total number of authorized directors.”; and**

Further amend said bill and page, section 356.233, line 5, by inserting immediately after said line the following:

“357.060. 1. For incorporation under this chapter as herein provided, there shall be paid to and collected by the state director of revenue a fee of fifty dollars for the first fifty thousand dollars or less of capital stock, and the further sum of five dollars for each additional ten thousand dollars of its capital stock. The limitation upon the aggregate amount of capital stock shall be the same as in respect to other corporations.

2. Fees mandated in subsection 1 of this section shall be waived if the association of persons signing the written articles of association and agreement includes:

(1) A military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse’s service to the secretary;

(2) A first responder who provides proof of such service as a first responder to the secretary of state; or

(3) A veteran or a member of the Missouri National Guard or any other active duty military, who resides in the state of Missouri, and provides proof of such service to the secretary of state.

3. For purposes of this section, the following terms shall mean:

(1) “First Responder”, the same meaning as in section 67.145 and his or her spouse;

(2) “Military spouse”, any person who is the spouse of a uniformed services member;

(3) “Uniformed services member”, a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;

(4) “Veteran”, any individual defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency.

358.020. In this chapter:

(1) “Bankrupt”, includes a debtor pursuant to a voluntary or involuntary petition filed under the Federal Bankruptcy Code or a person or entity subject to an insolvency or similar proceeding under state law;

(2) “Business”, includes every trade, occupation, or profession;

(3) “Conveyance”, includes every assignment, lease, mortgage, or encumbrance;

(4) “Court”, includes every court and judge having jurisdiction in the case;

(5) “First Responder”, shall have the same meaning as in section 67.145 and his or her spouse;

(6) “Foreign registered limited liability partnership” [means], a limited liability partnership formed pursuant to an agreement governed by the laws of another jurisdiction and registered as a limited liability partnership under the laws of such jurisdiction;

[(6)] (7) “Military spouse”, includes any person who is the spouse of a uniformed services member;

(8) “Person”, includes individuals, partnerships, domestic or foreign limited partnerships, domestic or foreign limited liability companies, domestic or foreign corporations, trusts, business trusts, real estate investment trusts, estates and other associations or business entities;

[(7)] (9) “Real property”, includes land and any interest or estate in land; [and]

[(8)] (10) “Registered limited liability partnership” [means], a partnership formed pursuant to an agreement governed by the laws of this state, registered pursuant to section 358.440 and complying with sections 358.450 and 358.460;

(11) “Uniformed services member”, a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;

(12) “Veteran”, any individual defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency.

358.440. 1. To register as a limited liability partnership pursuant to this section, a written application shall be filed with the office of the secretary of state. The application shall set forth:

(1) The name of the partnership;

(2) The address of a registered office and the name and address of a registered agent for service of process required to be maintained by section 358.470;

(3) The number of partners in the partnership at the date of application;

(4) A brief statement of the principal business in which the partnership engages;

(5) That the partnership thereby applies for registration as a registered limited liability partnership; and

(6) Any other information the partnership determines to include in the application.

2. The application shall be signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority in interest of the partners to sign the application on behalf of the partnership.

3. The application shall be accompanied by a fee payable to the secretary of state of twenty-five dollars for each partner of the partnership, but the fee shall not exceed one hundred dollars. All moneys from the payment of this fee shall be deposited into the general revenue fund.

4. A person who files a document according to this section as an agent or fiduciary need not exhibit evidence of the partner's authority as a prerequisite to filing. Any signature on such document may be a facsimile. If the secretary of state finds that the filing conforms to law, the secretary of state shall:

(1) Endorse on the copy the word "Filed" and the month, day and year of the filing;

(2) File the original in the secretary of state's office; and

(3) Return the copy to the person who filed it or to the person's representative.

5. A partnership becomes a registered limited liability partnership on the date of the filing in the office of the secretary of state of an application that, as to form, meets the requirements of subsections 1 and 2 of this section and that is accompanied by the fee specified in subsection 3 of this section, or at any later time specified in the application.

6. An initial application filed under subsection 1 of this section by a partnership registered by the secretary of state as a limited liability partnership expires one year after the date of registration unless earlier withdrawn or revoked or unless renewed in accordance with subsection 9 of this section.

7. If a person is included in the number of partners of a registered limited liability partnership set forth in an application, a renewal application or a certificate of amendment of an application or a renewal application, the inclusion of such person shall not be admissible as evidence in any action, suit or proceeding, whether civil, criminal, administrative or investigative, for the purpose of determining whether such person is liable as a partner of such registered limited liability partnership. The status of a partnership as a registered limited liability partnership and the liability of a partner of such registered limited liability partnership shall not be adversely affected if the number of partners stated in an application, a renewal application or a certificate of amendment of an application or a renewal application is erroneously stated provided that the application, renewal application or certificate of amendment of an application or a renewal application was filed in good faith.

8. Any person who files an application or a renewal application in the office of the secretary of state pursuant to this section shall not be required to file any other documents pursuant to chapter 417 which requires filing for fictitious names.

9. An effective registration may be renewed before its expiration by filing in duplicate with the secretary of state an application containing current information of the kind required in an initial application, including the registration number as assigned by the secretary of state. The renewal application shall be accompanied by a fee of one hundred dollars on the date of renewal plus, if the renewal increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars. All moneys from such fees shall be deposited into the general revenue fund. A renewal application filed under this section continues an effective registration for one year after the date the effective registration would otherwise

expire.

10. A registration may be withdrawn by filing with the secretary of state a written withdrawal notice signed on behalf of the partnership by a majority of the partners or by one or more partners authorized by a majority of the partners to sign the notice on behalf of the partnership. A withdrawal notice shall include the name of the partnership, the date of registration of the partnership's last application under this section, and a current street address of the partnership's principal office in this state or outside the state, as applicable. A withdrawal notice terminates the registration of the partnership as a limited liability partnership as of the date of filing the notice in the office of the secretary of state. The withdrawal notice shall be accompanied by a filing fee of twenty dollars.

11. If a partnership that has registered pursuant to this section ceases to be registered as provided in subsection 6 or 10 of this section, that fact shall not affect the status of the partnership as a registered limited liability partnership prior to the date the partnership ceased to be registered pursuant to this section.

12. A document filed under this section may be amended or corrected by filing with the secretary of state articles of amendment, signed by a majority of the partners or by one or more partners authorized by a majority of the partners. The articles of amendment shall contain:

- (1) The name of the partnership;
- (2) The identity of the document being amended;
- (3) The part of the document being amended; and
- (4) The amendment or correction.

The articles of amendment shall be accompanied by a filing fee of twenty dollars plus, if the amendment increases the number of partners, fifty dollars for each partner added, but the fee shall not exceed two hundred dollars; provided that no amendment of an application or a renewal application is required as a result of a change after the application or renewal application is filed in the number of partners of the registered limited liability partnership or in the business in which the registered limited liability partnership engages. All moneys from such fees shall be deposited into the general revenue fund. The status of a partnership as a registered limited liability partnership shall not be affected by changes after the filing of an application or a renewal application in the information stated in the application or renewal application.

13. No later than ninety days after the happening of any of the following events, an amendment to an application or a renewal application reflecting the occurrence of the event or events shall be executed and filed by a majority in interest of the partners or by one or more partners authorized by a majority of the partners to execute an amendment to the application or renewal application:

- (1) A change in the name of the registered limited liability partnership;
- (2) Except as provided in subsections 2 and 3 of section 358.470, a change in the address of the registered office or a change in the name or address of the registered agent of the registered limited liability partnership.

14. Unless otherwise provided in this chapter or in the certificate of amendment of an application or a renewal application, a certificate of amendment of an application or a renewal application or a withdrawal notice of an application or a renewal application shall be effective at the time of its filing with the secretary of state.

15. The secretary of state may provide forms for the application specified in subsection 1 of this section, the renewal application specified in subsection 9 of this section, the withdrawal notice specified in subsection 10 of this section, and the amendment or correction specified in subsection 12 of this section.

16. The secretary of state may remove from its active records the registration of a partnership whose registration has been withdrawn, revoked or has expired.

17. The secretary of state may revoke the filing of a document filed under this section if the secretary of state determines that the filing fee for the document was paid by an instrument that was dishonored when presented by the state for payment. The secretary of state shall return the document and give notice of revocation to the filing party by regular mail. Failure to give or receive notice does not invalidate the revocation. A revocation of a filing does not affect an earlier filing.

18. If any person signs a document required or permitted to be filed pursuant to sections 358.440 to 358.500 which the person knows is false in any material respect with the intent that the document be delivered on behalf of a partnership to the secretary of state for filing, such person shall be guilty of a class A misdemeanor. Unintentional errors in the information set forth in an application filed pursuant to subsection 1 of this section, or changes in the information after the filing of the application, shall not affect the status of a partnership as a registered limited liability partnership.

19. Before transacting business in this state, a foreign registered limited liability partnership shall:

(1) Comply with any statutory or administrative registration or filing requirements governing the specific type of business in which the partnership is engaged; and

(2) Register as a limited liability partnership as provided in this section by filing an application which shall, in addition to the other matters required to be set forth in such application, include a statement:

(a) That the secretary is irrevocably appointed the agent of the foreign limited liability partnership for service of process if the limited liability partnership fails to maintain a registered agent in this state or if the agent cannot be found or served with the exercise of reasonable diligence; and

(b) Of the address of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction or, if not so required, of the principal office of the foreign limited liability partnership.

20. A partnership that registers as a limited liability partnership shall not be deemed to have dissolved as a result thereof and is for all purposes the same partnership that existed before the registration and continues to be a partnership under the laws of this state. If a registered limited liability partnership dissolves, a partnership which is a successor to such registered limited liability partnership and which intends to be a registered limited liability partnership shall not be required to file a new registration and shall be deemed to have filed any documents required or permitted under this chapter which were filed by the predecessor partnership.

21. Fees mandated in subsection 3 of this section shall be waived if a general partner of the partnership is:

(1) A military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse's service to the secretary;

(2) A first responder who provides proof of such service as a first responder to the secretary of state; or

(3) A veteran or a member of the Missouri National Guard or any other active duty military, **who** resides in the state of Missouri, and provides proof of such service to the secretary of state.

359.011. As used in this chapter, the following terms mean:

(1) “Certificate of limited partnership”, the certificate referred to in section 359.091, and the certificate as amended or restated;

(2) “Contribution”, any cash, property, services rendered, or a promissory note or other binding obligation to contribute cash or property or to perform services, which a partner contributes to a limited partnership in his capacity as a partner;

(3) “Event of withdrawal of a general partner”, an event that causes a person to cease to be a general partner as provided in section 359.241;

(4) **“First Responder”, the same meaning as in section 67.145 and his or her spouse;**

(5) “Foreign limited partnership”, a partnership formed under the laws of any country or of any state other than this state and having as partners one or more general partners and one or more limited partners;

[(5)] (6) “General partner”, a person who has been admitted to a limited partnership as a general partner in accordance with the partnership agreement and named in the certificate of limited partnership as a general partner;

[(6)] (7) “Limited partner”, a person who has been admitted to a limited partnership as a limited partner in accordance with the partnership agreement;

[(7)] (8) “Limited partnership” and “domestic limited partnership”, a partnership formed by two or more persons under the laws of this state and having one or more general partners and one or more limited partners;

[(8)] (9) **“Military spouse”, any person who is the spouse of a uniformed services member;**

(10) “Partner”, a limited or general partner;

[(9)] (11) “Partnership agreement”, any valid agreement, written or oral, of the partners as to the affairs of a limited partnership and the conduct of its business;

[(10)] (12) “Partnership interest”, a partner’s share of the profits and losses of a limited partnership and the right to receive distributions of partnership assets;

[(11)] (13) “Person”, a natural person, partnership, limited partnership (domestic or foreign), domestic or foreign limited liability company, trust, estate, association, or corporation;

[(12)] (14) “Registered limited liability limited partnership”, a limited partnership complying with section 359.172;

[(13)] (15) “State”, a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico;

(16) **“Uniformed services member”, a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;**

(17) **“Veteran”, any individual defined as a veteran by the United States Department of Veterans’**

Affairs or its successor agency.

359.651. 1. The secretary of state shall charge the fee specified for filing the following:

- (1) Certificates of limited partnership: one hundred dollars;
- (2) Applications for registration of foreign limited partnerships and issuance of a certificate of registration to transact business in this state: one hundred dollars;
- (3) Amendments to and restatements of certificates of limited partnerships or to applications for registration of foreign limited partnerships or any other filing not otherwise provided for: twenty dollars;
- (4) Cancellations of certificates of limited partnerships or of registration of foreign limited partnerships: twenty dollars;
- (5) A consent required to be filed under this chapter: twenty dollars;
- (6) A change of address of registered agent, or change of registered agent, or both: five dollars;
- (7) A partner list: one dollar each page;
- (8) Reservation of name: twenty dollars;
- (9) Rescission fee: one hundred dollars.

2. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived if a general partner of the partnership is **a first responder, a veteran, or** a member of the Missouri National Guard or any other active duty military, **who** resides in the state of Missouri, and provides proof of such service to the secretary of state.

3. Fees mandated in subdivisions (1) and (2) of subsection 1 of this section shall be waived if a general partner of the partnership is a military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse's service to the secretary.; and

Further amend said bill and page, section 359.653, line 5, by inserting after all of said line the following:

“394.020. In this chapter, unless the context otherwise requires, **the following terms mean:**

- (1) **“First Responder”, the same meaning as in section 67.145 and his or her spouse;**
- (2) **“Member” [means], each incorporator of a cooperative and each person admitted to and retaining membership therein, and shall include a husband and wife admitted to joint membership;**
- [(2)] (3) “Military spouse”, any person who is the spouse of a uniformed services member;**
- (4) **“Person”, includes any natural person, firm, association, corporation, business trust, partnership, federal agency, state or political subdivision or agency thereof, or any body politic; [and]**
- [(3)] (5) “Rural area”, shall be deemed to mean any area of the United States not included within the boundaries of any city, town or village having a population in excess of fifteen hundred inhabitants, and such term shall be deemed to include both the farm and nonfarm population thereof;**
- (6) **“Uniformed services member”, a member of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;**
- (7) **“Veteran”, any individual defined as a veteran by the United States Department of Veterans’**

Affairs or its successor agency.

394.250. 1. There shall be charged and collected for:

- (1) Filing articles of incorporation, ten dollars;
- (2) Filing articles of amendment, one dollar;
- (3) Filing articles of consolidation or merger, ten dollars;
- (4) Filing articles of conversion, ten dollars;
- (5) Filing certificate of election to dissolve, one dollar;
- (6) Filing articles of dissolution, two dollars; and
- (7) Filing certificate of change of principal office, two dollars.

2. All fees shall be made payable to and collected by the state director of revenue.

3. Fees mandated in subdivision (1) of subsection 1 of this section shall be waived if an initial member of the cooperative is:

(1) A first responder who provides proof of such service as a first responder to the secretary of state;

(2) A military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse's service to the secretary; or

(3) A veteran or a member of the Missouri National Guard or any other active duty military, who resides in the state of Missouri, and provides proof of such service to the secretary of state.”; and

Further amend said bill and page, section 417.018, line 5, by inserting immediately after said line the following:

“417.220. 1. For the registration or renewal of each fictitious name under sections 417.200 to 417.230 there shall be paid to the state director of revenue a fee of two dollars if filed electronically in a format prescribed by the secretary of state or if filed in a written format prescribed by the secretary of state.

2. Fees mandated in subsection 1 of this section shall be waived if a party owning any interest or part in the business is:

(1) A military spouse, and provides a copy of a marriage certificate, and proof of his or her spouse's service to the secretary;

(2) A first responder who provides proof of such service as a first responder to the secretary of state; or

(3) A veteran or a member of the Missouri National Guard or any other active duty military, who resides in the state of Missouri, and provides proof of such service to the secretary of state.

3. For purposes of this section, the following terms shall mean:

(1) “First Responder”, the same meaning as in section 67.145 and his or her spouse;

(2) “Military spouse”, any person who is the spouse of a uniformed services member;

(3) “Uniformed services member”, a member of the active or reserve components of the Army,

Navy, Air Force, Marine Corps, or Coast Guard of the United States who is on active duty, or a member on activated status of the National Guard;

(4) “Veteran”, any individual defined as a veteran by the United States Department of Veterans’ Affairs or its successor agency.”; and

Further amend the title and enacting clause accordingly.

Senator Silvey moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 1** is out of order as it goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem who ruled it was not well taken.

At the request of Senator Wasson, **SB 348**, with **SA 1** (pending), was placed on the Informal Calendar.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

On behalf of Senator Cunningham, Chairman of the Committee on Fiscal Oversight, Senator Kehoe submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SS** for **SB 22**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 204**; **SB 99**; and **SB 373**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

President Parson assumed the Chair.

REFERRALS

President Pro Tem Richard referred **SB 99**, **SB 204** and **SB 373** to the Committee on Fiscal Oversight.

RESOLUTIONS

Senator Rizzo offered Senate Resolution No. 703, regarding Robert H. Martin, which was adopted.

Senator Brown offered Senate Resolution No. 704, regarding the Missouri Lions Club, which was adopted.

Senator Koenig offered Senate Resolution No. 705, regarding Alexander Vincent “Vince” Fausek, Jr., Valley Park, which was adopted.

Senator Koenig offered Senate Resolution No. 706, regarding Paul Seymore Phillips, Kirkwood, which was adopted.

Senator Koenig offered Senate Resolution No. 707, regarding Edwin Darrell “Ed” Childers, Valley Park, which was adopted.

Senator Koenig offered Senate Resolution No. 708, regarding Theresa Marie Meyer, Ballwin, which was adopted.

Senator Koenig offered Senate Resolution No. 709, regarding Kathleen McKean Gmelich, Des Peres, which was adopted.

Senator Kehoe offered Senate Resolution No. 710, regarding Lorraine Adkins, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 711, regarding Lucy Brenner, Morrison, which was adopted.

Senator Kehoe offered Senate Resolution No. 712, regarding Laura Edwards, Lake Ozark, which was adopted.

COMMUNICATIONS

Senator Richard submitted the following:

April 11, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Section 166.605 of the Revised Statutes of Missouri (RSMo), I hereby appoint Stephen Cale Bradford to the Missouri Achieving a Better Life Experience Board.

Sincerely,



Ron Richard

President Pro Tem

Also,

April 11, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Section 21.771 of the Revised Statutes of Missouri (RSMo), I hereby appoint the following senator to the Joint Committee on Child Abuse and Neglect to replace Senator Kurt Scharfer.

Senator Andrew Koenig.

Sincerely,



Ron Richard

President Pro Tem

INTRODUCTION OF GUESTS

Senator Holsman introduced to the Senate, Mike Allen and Kent Kirby, representatives of Lee's Summit Chamber of Commerce.

Senator Emery introduced to the Senate, Vickie Briscoe and Nancy Ross; Patricia Watkins, Connecticut; Alexandra Gast, Nevada; Brittney Trueblood, Walker; Paige Wait, Bronaugh; and Kalysta Lewis, Sheldon; representatives of Vernon County High School Sophomore Pilgrimage.

Senator Kraus introduced to the Senate, his wife, Carmen, and nieces and nephews Ella, Nora, Emmett and Gunnar Kurtz, Lee's Summit; and Ella, Nora, Emmett and Gunnar were made honorary pages.

Senator Cunningham introduced to the Senate, Justin Cotter, West Plains High School Sophomore Pilgrimage.

Senator Riddle introduced to the Senate, Karyna Saqalai, Felicia Cesar, Anna Braack, Conor Cable, Chelsea Steward, Abigail Lemberger, Lucy Matthews, Manyima Njie, Jodie Peacock, Heather Cooke, Tara Emerson, Jose Mejias and Cyndi Koonse, William Woods College International Students.

Senator Schupp introduced to the Senate, Dr. Patrick White, St. Louis County.

Senator Schupp introduced to the Senate, Ellen Maher-Forney, Overland, and Pat Barteau, St. Charles.

Senator Silvey introduced to the Senate, former State Representative Chris Kelly, Columbia.

Senator Hummel introduced to the Senate, the Physician of the Day, Dr. Matt Linsenbardt, Brentwood.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-THIRD DAY—WEDNESDAY, APRIL 12, 2017

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SS for SB 22-Chappelle-Nadal
SB 204-Sifton (In Fiscal Oversight)

SB 99-Emery (In Fiscal Oversight)
SB 373-Curls (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

SB 469-Schatz
SB 517-Wasson
SB 435-Cunningham, with SCS

SB 451-Nasheed
SB 419-Riddle
SB 264-Dixon

HOUSE BILLS ON THIRD READING

HB 288-Fitzpatrick (Kehoe)

HCS for HBs 90 & 68 (Schatz)
(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SB 123-Munzlinger
SB 6-Richard, with SCS	SB 126-Wasson
SB 13-Dixon	SB 129-Dixon and Sifton, with SCS
SB 20-Brown	SB 130-Kraus, with SCS
SB 21-Brown	SB 133-Chappelle-Nadal
SB 28-Sater, with SCS (pending)	SB 138-Sater
SB 32-Emery, with SCS	SB 141-Emery
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 142-Emery
SB 41-Wallingford and Emery, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 144-Wallingford
SBs 44 & 63-Romine, with SCS	SB 145-Wallingford, with SCS
SB 46-Libla, with SCS	SB 147-Romine
SB 49-Walsh, with SCS	SB 156-Munzlinger, with SCS
SB 61-Hegeman, with SCS	SB 157-Dixon, with SCS
SB 67-Onder, et al, with SS, SA 1 & SSA 1 for SA 1 (pending)	SB 158-Dixon
SB 68-Onder and Nasheed	SB 163-Romine
SB 76-Munzlinger	SB 169-Dixon, with SCS
SB 80-Wasson, with SCS	SB 171-Dixon and Sifton, with SCS
SB 81-Dixon	SB 176-Dixon
SB 83-Dixon	SB 177-Dixon, with SCS
SB 85-Kraus, with SCS	SB 178-Dixon
SB 96-Sater and Emery	SB 180-Nasheed, with SCS
SB 97-Sater, with SCS	SB 183-Hoskins, with SCS
SB 102-Cunningham, with SCS	SB 184-Emery, with SS (pending)
SB 103-Wallingford	SB 185-Onder, et al, with SCS
SB 109-Holsman, with SCS	SB 188-Munzlinger, with SCS
SB 115-Schupp, with SCS	SB 189-Kehoe, with SCS
SB 117-Schupp, with SCS	SB 190-Emery, with SCS & SS#2 for SCS (pending)
SB 122-Munzlinger, with SCS	SB 196-Koenig
	SB 199-Wasson
	SB 200-Libla

SB 201-Onder, with SCS
SB 203-Sifton, with SCS
SB 207-Sifton
SB 209-Wallingford
SB 210-Onder, with SCS
SB 220-Riddle, with SCS & SS for SCS
(pending)
SB 221-Riddle
SB 223-Schatz, with SCS
SB 227-Koenig, with SCS
SB 228-Koenig, with SS & SA 1 (pending)
SB 230-Riddle
SB 232-Schatz
SB 233-Wallingford
SB 234-Libla, with SCS
SB 239-Rowden, with SCS
SB 242-Emery, with SCS
SB 243-Hegeman
SB 247-Kraus, with SCS
SB 250-Kehoe
SB 252-Dixon, with SCS
SB 258-Munzlinger
SB 259-Munzlinger
SB 260-Munzlinger
SB 261-Munzlinger
SB 262-Munzlinger
SB 263-Riddle
SB 267-Schatz, with SCS
SB 271-Wasson and Richard, with SCS
SB 280-Hoskins, with SCS
SB 284-Hegeman, with SCS
SBs 285 & 17-Koenig, with SCS
SB 286-Rizzo
SB 290-Schatz, with SCS
SB 295-Schaaf, with SCS
SB 298-Curls
SB 303-Wieland, with SCS
SB 311-Wasson, with SCS
SBs 314 & 340-Schatz, et al, with SCS
SB 316-Rowden, with SCS

SB 325-Kraus
SBs 327, 238 & 360-Romine, with SCS
SB 328-Romine, with SCS, with SCS & SA 3
(pending)
SB 330-Munzlinger
SB 331-Hegeman
SB 333-Schaaf, with SCS
SB 336-Wieland
SB 348-Wasson, with SA 1 (pending)
SB 349-Wasson
SB 358-Wieland
SB 362-Hummel
SB 368-Rowden
SB 371-Schaaf, with SA 2 & SSA 1 for
SA 2 (pending)
SB 378-Wallingford
SB 379-Schatz
SB 381-Riddle
SB 383-Eigel and Wieland
SB 384-Rowden, with SCS
SB 389-Sater, with SCS
SB 391-Munzlinger
SB 392-Holsman
SB 406-Wasson and Sater
SB 409-Koenig
SB 410-Schatz
SB 413-Munzlinger
SB 418-Hegeman, with SCS
SB 422-Cunningham, with SCS
SB 426-Wasson, with SCS
SB 427-Wasson
SB 430-Cunningham, with SCS
SB 433-Sater, with SCS
SB 442-Hegeman
SB 445-Rowden
SB 448-Emery
SB 468-Hegeman
SB 475-Schatz
SB 485-Hoskins
SB 490-Schupp

SB 526-Brown
 SJR 9-Romine, with SCS
 SJR 11-Hegeman, with SCS

SJR 12-Eigel
 SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)
 HB 35-Plocher (Dixon)
 HB 51-Andrews, with SCS (Hegeman)
 HCS for HB 66, with SCS (Sater)
 HB 85-Redmon, with SCS (Hegeman)
 HCS for HBs 91, 42, 131, 265 & 314 (Brown)
 HB 93-Lauer, with SCS (Wasson)
 HB 95-McGaugh (Emery)
 HB 104-Love (Brown)
 HCS for HB 115, with SCS (Wasson)
 HCS for HBs 190 & 208 (Eigel)
 HB 207-Fitzwater (Romine)
 HB 251-Taylor, with SCS, SS for SCS,
 SA 2 & SA 3 to SA 2 (pending) (Onder)

HCS for HB 292, with SCS (Cunningham)
 HCS for HBs 302 & 228, with SCS (Schatz)
 HB 336-Shull (Rowden)
 HCS for HBs 337, 259 & 575 (Schatz)
 HCS for HBs 339 & 714, with SCS (Rowden)
 HCS for HB 427, with SCS (Kehoe)
 HCS for HB 451 (Wasson)
 HCS for HB 460 (Munzlinger)
 HB 461-Kolkmeier (Munzlinger)
 HB 462-Kolkmeier (Munzlinger)
 HB 655-Engler (Dixon)
 HCS for HBs 1194 & 1193 (Hegeman)
 HCB 3-Fitzpatrick (Koenig)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe
 SCR 9-Holsman

SCR 14-Hoskins
 SCR 21-Wallingford

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-THIRD DAY—WEDNESDAY, APRIL 12, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 376**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS No. 2** for **SCS** for **SB 313**, begs leave to report that it has examined the same and finds that the bill has been truly re-perfected and that the printed copies furnished the Senators are correct.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 88**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

Senator Kehoe assumed the Chair.

REFERRALS

President Pro Tem Richard referred **SS No. 2** for **SCS** for **SB 313** to the Committee on Fiscal Oversight.

On motion of Senator Richard, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

Reverend Carl Gauck offered the following prayer:

“For you have not received the spirit of bondage, whereby we cry, Abba, Father.” (Romans 8:5)

Heavenly Father: Let us never be afraid to kneel before You and confess our need of Your help and forgiveness. In times of sorrow and hurts, troubles and heartaches and especially those times we have failed You, help us to remember that You are truly our father and we are Your children. Let us with boldness and confidences ask, as dear children, to trust always in Your love and mercy and find grace in times of need. And may we love You with childlike affection all the days of our lives. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 713, regarding Mark Schmidt, Florissant, which was adopted.

Senator Richard offered Senate Resolution No. 714, regarding Mary Westermier, Sedalia, which was adopted.

Senator Richard offered Senate Resolution No. 715, regarding Robert L. Coleman, El Dorado Springs, which was adopted.

Senator Richard offered Senate Resolution No. 716, regarding Kenneth Ramsey, Bolivar, which was adopted.

Senator Schaaf offered Senate Resolution No. 717, regarding G. Sally Hoehn, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 718, regarding Joseph Pepper, Weston, which was adopted.

Senator Libla offered Senate Resolution No. 719, regarding Suellen Fenton, Charleston, which was adopted.

Senator Libla offered Senate Resolution No. 720, regarding Carl Heuiser, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 721, regarding Nell Allgood, Kennett, which was adopted.

Senator Libla offered Senate Resolution No. 722, regarding Barbara J. Haubold, RN, Bertrand, which was adopted.

The Senate observed a moment of silence for the employees and families of those injured in the Lake City Army Ammunition Plant explosion.

Senator Cunningham requested unanimous consent of the Senate that **SB 373** be returned by the Committee on Fiscal Oversight as it was inadvertently referred to such committee, which request was granted.

THIRD READING OF SENATE BILLS

SS for **SB 22**, introduced by Senator Chappelle-Nadal, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 22

An Act to repeal section 441.236, RSMo, and to enact in lieu thereof five new sections relating to contaminated homes, with a penalty provision and an emergency clause.

Was taken up.

Senator Kehoe requested unanimous consent of the Senate for members of Platte County Law Enforcement to enter the Chamber with side arms, which request was granted.

On motion of Senator Chappelle-Nadal, **SS** for **SB 22** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Riddle	Rizzo	Romine	Rowden
Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus	Richard	Sater—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus	Richard—2
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Absent—Senator Schatz—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Chappelle-Nadal, title to the bill was agreed to.

Senator Chappelle-Nadal moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Wallingford moved that **SCR 21** be taken up for adoption, which motion prevailed.

On motion of Senator Wallingford, **SCR 21** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Schaaf	Schatz	Silvey	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Schupp	Sifton—2
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Absent—Senators

Chappelle-Nadal	Sater—2
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Absent with leave—Senators—None

Vacancies—1

SCR 14, introduced by Senator Hoskins, entitled:

Relating to an application to Congress for the calling of an Article V convention of states to propose an amendment to the United States Constitution regarding term limits for members of Congress.

Was taken up.

On motion of Senator Hoskins, **SCR 14** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Eigel	Hegeman	Holsman	Hoskins
Kehoe	Kraus	Libla	Onder	Richard	Riddle	Rowden
Sater	Sifton	Wallingford	Wasson	Wieland—19		

NAYS—Senators

Curls	Dixon	Emery	Hummel	Koenig	Munzlinger	Nasheed
Rizzo	Romine	Schaaf	Schatz	Schupp	Silvey	Walsh—14

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the concurrent resolution passed.

On motion of Senator Hoskins, title to the concurrent resolution was agreed to.

Senator Hoskins moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCR 9, introduced by Senator Holsman, entitled:

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which regulate elections.

Was taken up.

Senator Silvey offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Concurrent Resolution No. 9, as it appears on Page 142 of the Senate Journal for Thursday, January 19, 2017, Line 36 of the Senate Journal page, by striking the following: “, and desires that said convention should be so limited”; and further amend said resolution, line, and journal page, by inserting after all of said line the following:

“Whereas, the Missouri General Assembly perceives the need for an amendments convention in order to restore transparency to our elections by proposing an amendment to the federal Constitution that will permanently impose transparency in the contributions and expenditures being made by entities engaged in electioneering activities, including all organizations organized as nonprofit organizations and that are exempt from taxation under Section 501(c)4 of the Internal Revenue Code and desires that said convention should be so limited; and”; and

Further amend said journal, page 143, line 6 of said page, by striking all of said line and inserting in lieu thereof the following: **“that will restore free, fair, and transparent elections as described herein; and”**.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

On motion of Senator Holsman, **SCR 9**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Holsman	Hoskins	Kehoe
Koenig	Libla	Nasheed	Rizzo	Romine	Schaaf	Schupp
Sifton	Silvey	Wallingford	Walsh	Wieland—19		

NAYS—Senators

Dixon	Eigel	Emery	Hegeman	Kraus	Munzlinger	Onder
Richard	Riddle	Rowden	Schatz	Wasson—12		

Absent—Senators

Hummel	Sater—2
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Absent with leave—Senators—None

Vacancies—1

The President declared the concurrent resolution passed.

On motion of Senator Holsman, title to the concurrent resolution was agreed to.

Senator Holsman moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCR 4, introduced by Senator Kehoe, entitled:

Relating to an application to Congress for the calling of an Article V convention of states to propose certain amendments to the United States Constitution which place limits on the federal government.

Was taken up.

Senator Schaaf requested a division of the question on **SCR 4**, that Part I consist of the last clause of the sixth paragraph, “and limit the terms of office for its officials and members of Congress”, and Part II would consist of the remainder of the Concurrent Resolution.

Senator Kehoe raised the point of order that pursuant to Senate Rule 82, **SCR 4** cannot be divided. The point of order was referred to the President Pro Tem who took it under advisement, which placed **SCR 4** back on the Calendar.

RESOLUTIONS

Senator Holsman offered Senate Resolution No. 723, regarding Thomas M. Platt, Kansas City, which was adopted.

Senator Kehoe offered Senate Resolution No. 724, regarding Barbara Huse, Belle, which was adopted.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

April 12, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Executive Order 17-11, I hereby appoint the following to The Boards and Commissions Task Force:

Senator Jeanie Riddle
Senator Jacob Hummel
Heidi Kolkmeier

Sincerely,



Ron Richard
President Pro Tem

Also,

April 12, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Section 191.853 of the Missouri Statute I hereby appoint the following senator to the Missouri Assistive Technology Advisory Council.

Senator Jill Schupp

Sincerely,



Ron Richard
President Pro Tem

INTRODUCTION OF GUESTS

Senator Kehoe introduced to the Senate, Calvin Groose, Olean.

Senator Holsman introduced to the Senate, Tonya Wells, Emily Brzozowski, Jim Turner, Sara Campbell and Karen Williams, representatives of Sierra Club Legislative Day.

Senator Schatz introduced to the Senate, representatives of Missouri One Call.

Senator Silvey introduced to the Senate, foreign exchange students from Winnetonka High School, Kansas City.

Senator Kehoe introduced to the Senate, Tom and Brenda Kolb, Jefferson City.

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. Bill Reynolds, and his wife, Julie, Nixa.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-FOURTH DAY—THURSDAY, APRIL 13, 2017

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SB 204-Sifton (In Fiscal Oversight)	SS#2 for SCS for SB 313-Koenig
SB 99-Emery (In Fiscal Oversight)	(In Fiscal Oversight)
SB 373-Curls	SCS for SB 88-Brown
SB 376-Hoskins	

SENATE BILLS FOR PERFECTION

SB 469-Schatz	SB 451-Nasheed
SB 517-Wasson	SB 419-Riddle
SB 435-Cunningham, with SCS	SB 264-Dixon

HOUSE BILLS ON THIRD READING

HB 288-Fitzpatrick (Kehoe)	HCS for HBs 90 & 68 (Schatz)
	(In Fiscal Oversight)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SBs 44 & 63-Romine, with SCS
SB 6-Richard, with SCS	SB 46-Libla, with SCS
SB 13-Dixon	SB 49-Walsh, with SCS
SB 20-Brown	SB 61-Hegeman, with SCS
SB 21-Brown	SB 67-Onder, et al, with SS, SA 1 &
SB 28-Sater, with SCS (pending)	SSA 1 for SA 1 (pending)
SB 32-Emery, with SCS	SB 68-Onder and Nasheed
SBs 37 & 244-Silvey, with SCS, SS for	SB 76-Munzlinger
SCS & SA 1 (pending)	SB 80-Wasson, with SCS
SB 41-Wallingford and Emery, with SS,	SB 81-Dixon
SA 1 & SA 1 to SA 1 (pending)	SB 83-Dixon

SB 85-Kraus, with SCS	SB 210-Onder, with SCS
SB 96-Sater and Emery	SB 220-Riddle, with SCS & SS for SCS (pending)
SB 97-Sater, with SCS	SB 221-Riddle
SB 102-Cunningham, with SCS	SB 223-Schatz, with SCS
SB 103-Wallingford	SB 227-Koenig, with SCS
SB 109-Holsman, with SCS	SB 228-Koenig, with SS & SA 1 (pending)
SB 115-Schupp, with SCS	SB 230-Riddle
SB 117-Schupp, with SCS	SB 232-Schatz
SB 122-Munzlinger, with SCS	SB 233-Wallingford
SB 123-Munzlinger	SB 234-Libla, with SCS
SB 126-Wasson	SB 239-Rowden, with SCS
SB 129-Dixon and Sifton, with SCS	SB 242-Emery, with SCS
SB 130-Kraus, with SCS	SB 243-Hegeman
SB 133-Chappelle-Nadal	SB 247-Kraus, with SCS
SB 138-Sater	SB 250-Kehoe
SB 141-Emery	SB 252-Dixon, with SCS
SB 142-Emery	SB 258-Munzlinger
SB 144-Wallingford	SB 259-Munzlinger
SB 145-Wallingford, with SCS	SB 260-Munzlinger
SB 147-Romine	SB 261-Munzlinger
SB 156-Munzlinger, with SCS	SB 262-Munzlinger
SB 157-Dixon, with SCS	SB 263-Riddle
SB 158-Dixon	SB 267-Schatz, with SCS
SB 163-Romine	SB 271-Wasson and Richard, with SCS
SB 169-Dixon, with SCS	SB 280-Hoskins, with SCS
SB 171-Dixon and Sifton, with SCS	SB 284-Hegeman, with SCS
SB 176-Dixon	SBs 285 & 17-Koenig, with SCS
SB 177-Dixon, with SCS	SB 286-Rizzo
SB 178-Dixon	SB 290-Schatz, with SCS
SB 180-Nasheed, with SCS	SB 295-Schaaf, with SCS
SB 183-Hoskins, with SCS	SB 298-Curls
SB 184-Emery, with SS (pending)	SB 303-Wieland, with SCS
SB 185-Onder, et al, with SCS	SB 311-Wasson, with SCS
SB 188-Munzlinger, with SCS	SBs 314 & 340-Schatz, et al, with SCS
SB 189-Kehoe, with SCS	SB 316-Rowden, with SCS
SB 190-Emery, with SCS & SS#2 for SCS (pending)	SB 325-Kraus
SB 196-Koenig	SBs 327, 238 & 360-Romine, with SCS
SB 199-Wasson	SB 328-Romine, with SCS & SA 3 (pending)
SB 200-Libla	SB 330-Munzlinger
SB 201-Onder, with SCS	SB 331-Hegeman
SB 203-Sifton, with SCS	SB 333-Schaaf, with SCS
SB 207-Sifton	SB 336-Wieland
SB 209-Wallingford	SB 348-Wasson, with SA 1 (pending)

SB 349-Wasson
 SB 358-Wieland
 SB 362-Hummel
 SB 368-Rowden
 SB 371-Schaaf, with SA 2 & SSA 1 for
 SA 2 (pending)
 SB 378-Wallingford
 SB 379-Schatz
 SB 381-Riddle
 SB 383-Eigel and Wieland
 SB 384-Rowden, with SCS
 SB 389-Sater, with SCS
 SB 391-Munzlinger
 SB 392-Holsman
 SB 406-Wasson and Sater
 SB 409-Koenig
 SB 410-Schatz
 SB 413-Munzlinger

SB 418-Hegeman, with SCS
 SB 422-Cunningham, with SCS
 SB 426-Wasson, with SCS
 SB 427-Wasson
 SB 430-Cunningham, with SCS
 SB 433-Sater, with SCS
 SB 442-Hegeman
 SB 445-Rowden
 SB 448-Emery
 SB 468-Hegeman
 SB 475-Schatz
 SB 485-Hoskins
 SB 490-Schupp
 SB 526-Brown
 SJR 9-Romine, with SCS
 SJR 11-Hegeman, with SCS
 SJR 12-Eigel
 SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)
 HB 35-Plocher (Dixon)
 HB 51-Andrews, with SCS (Hegeman)
 HCS for HB 66, with SCS (Sater)
 HB 85-Redmon, with SCS (Hegeman)
 HCS for HBs 91, 42, 131, 265 & 314
 (Brown)
 HB 93-Lauer, with SCS (Wasson)
 HB 95-McGaugh (Emery)
 HB 104-Love (Brown)
 HCS for HB 115, with SCS (Wasson)
 HCS for HBs 190 & 208 (Eigel)
 HB 207-Fitzwater (Romine)
 HB 251-Taylor, with SCS, SS for SCS,
 SA 2 & SA 3 to SA 2 (pending) (Onder)

HCS for HB 292, with SCS (Cunningham)
 HCS for HBs 302 & 228, with SCS (Schatz)
 HB 336-Shull (Rowden)
 HCS for HBs 337, 259 & 575 (Schatz)
 HCS for HBs 339 & 714, with SCS (Rowden)
 HCS for HB 427, with SCS (Kehoe)
 HCS for HB 451 (Wasson)
 HCS for HB 460 (Munzlinger)
 HB 461-Kolkmeier (Munzlinger)
 HB 462-Kolkmeier (Munzlinger)
 HB 655-Engler (Dixon)
 HCS for HBs 1194 & 1193 (Hegeman)
 HCB 3-Fitzpatrick (Koenig)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 4-Kehoe, with point of order
(pending)

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FOURTH DAY—THURSDAY, APRIL 13, 2017

The Senate met pursuant to adjournment.

Senator Kraus in the Chair.

Reverend Carl Gauck offered the following prayer:

“Keep your heart with all diligence, for out of it are the issues of life.” (Proverbs 4:23)

We acknowledge that the heart is seen by us as the seat of human emotion and it does us well to search it thoroughly to make sure all is in order, for we know what this coming week means for many Americans and to us, and it’s time to celebrate Your victory over death. So we complete our work here and prepare to spend precious time with our families and with You and enjoy the gift of new life You offer. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from the KOMU 8 News were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 725, regarding the late Senator John J. Johnson, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 726, regarding First Christian Church (Disciples of Christ), Mexico, which was adopted.

Senator Kraus offered Senate Resolution No. 727, regarding Paige E. Maxwell, Lee's Summit, which was adopted.

Senator Wasson offered Senate Resolution No. 728, regarding Lucille Murray, Willard, which was adopted.

Senator Kehoe, joined by the entire membership, offered Senate Resolution No. 729, regarding Major Kemp A. Shoun, Jefferson City, which was adopted.

Senator Wieland offered Senate Resolution No. 730, regarding Eagle Scout Tyler Raymond Schmidt, which was adopted.

Senator Romine offered Senate Resolution No. 731, regarding Lynn Frago, Park Hills, which was adopted.

CONCURRENT RESOLUTIONS

Senator Kraus offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 25

Whereas, the legislature finds that the Patient Protection and Affordable Care Act encourages states to develop innovative approaches to insuring their populations by authorizing states to apply for waivers from certain requirements of the act; and

Whereas, to be eligible, a state must demonstrate that its proposed health insurance reforms are as comprehensive and affordable as the federal requirements for insurance sold in its state; and

Whereas, proposed reforms must be budget neutral for the federal government; and

Whereas, states that are granted innovation waivers may receive federal assistance to operate their reform programs in an amount that is equivalent to the aggregate amount of tax credits and cost-sharing subsidies that the federal government would have paid for individuals enrolled in the state; and

Whereas, the legislature believes that the Affordable Care Act did not accomplish the intended result of providing affordable care for residents of the state as a whole and believes the state may be able to create a more effective alternative solution for providing affordable health coverage to individuals; and

Whereas, the purpose of this resolution is to establish a state innovation waiver task force to develop a health care reform plan that meets the requirements for obtaining a state innovation waiver:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the State Innovation Waiver Task Force; and

Be It Further Resolved that the task force shall consist of the following members:

(1) Three members of the Senate, with two members from the majority party and one member from the minority party, to be appointed by the President Pro Tempore of the Senate, with one such member to be designated chair by the President Pro Tempore of the Senate;

(2) Three members of the House of Representatives, with two members from the majority party and one member from the minority party, to be appointed by the Speaker of the House of Representatives, with one such member to be designated vice chair by the Speaker of the House of Representatives;

(3) The Director of the Department of Insurance, Financial Institutions, and Professional Registration, or his or her designee;

(4) The Director of the Department of Social Services, or his or her designee;

(5) The Director of the Department of Labor and Industrial Relations, or his or her designee;

- (6) The Attorney General, or his or her designee;
- (7) The Executive Director of the Missouri Consolidated Health Care Plan, or his or her designee;
- (8) One person with expertise in health care delivery to be appointed by the President Pro Tempore of the Senate;
- (9) One person with expertise in health insurance to be appointed by the President Pro Tempore of the Senate;
- (10) One person with expertise in health care delivery to be appointed by the Speaker of the House of Representatives;
- (11) One person with expertise in health insurance to be appointed by the Speaker of the House of Representatives; and
- (12) One person who is a consumer advocate with a commitment to representing the consumer interest in insurance regulation to be appointed by the Speaker of the House of Representatives; and

Be It Further Resolved that the members of the task force shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties; and

Be It Further Resolved that as used in this resolution, “federal act” means the Patient Protection and Affordable Health Care Act”; and

Be It Further Resolved that the mission of the task force shall be to fully consider and make recommendations in a report based on:

- (1) The feasibility of alternative approaches to the health reform requirements described under section 1332(a)(2) of the federal act;
- (2) Alternatives to and possible exemptions or waivers from requirements relating to allowable premium rate variations based upon age, as described in section 1201 of the federal act; and

Be It Further Resolved that the task force shall develop, and include in its report, a plan for applying for a state innovation waiver that meets the requirements of section 1332 of the federal act, including:

(1) Developing a strategy for health care reform that provides coverage that is at least as comprehensive as required by the federal act, provides coverage and cost-sharing protections that are at least as affordable as under the federal act, makes health insurance coverage available to as many residents of Missouri as under the federal act, and is budget neutral for the federal government;

(2) Examining the feasibility of options for providing affordable insurance coverage for uninsured and underinsured individuals in Missouri that include innovations to the state’s existing Medicaid program;

(3) Ensuring compliance with all applicable public notice requirements of 31 CFR 33 and 45 CFR 155, as amended; and

Be It Further Resolved that the task force shall prepare and include in its report a draft application for a state innovation waiver, to take effect for plan years beginning on or after January 1, 2018; and

Be It Further Resolved that the task force shall submit its report to the legislature, including any proposed legislation and the draft application, no later than twenty days prior to the convening of the veto session of 2017; and

Be It Further Resolved that if provisions of the federal act are repealed or replaced the task force shall remain in force to continue developing innovative approaches to providing comprehensive and affordable health care coverage to residents of this state; and

Be It Further Resolved that the staff of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for the actual and necessary expenses incurred in attending meetings of the task force; and

Be It Further Resolved that the chair or vice chair of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2017, whichever occurs first; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the Director of the Department of Insurance, Financial Institutions, and Professional Registration, the Director of the Department of Social Services, the Director of the Department of Labor and Industrial Relations, the Attorney General, and the Executive Director of the Missouri Consolidated Health Care Plan.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Wallingford, Chairman of the Committee on Veterans and Military Affairs, submitted the following reports:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **HCS** for **HB 151**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **HB 871**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **HB 850**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **HCS for HB 452**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HCS for HBs 90 and 68**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SB 204**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Fiscal Oversight, to which was referred **SB 99**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf, Chairman of the Committee on Health and Pensions, submitted the following reports:

Mr. President: Your Committee on Health and Pensions, to which was referred **HCS for HB 831**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 495**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **HCS for HB 381**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **HB 58**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **HCS** for **HB 304**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 532**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Health and Pensions, to which was referred **SB 518**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 175**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **HB 327**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following reports:

Mr. President: Your Committee on Economic Development, to which was referred **HB 680**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Economic Development, to which was referred **HB 1045**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SB 341**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **SJR 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 57**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS for HB 422**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 909**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following report:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 245**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SB 305**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 18**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS for HCR 19**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 28**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 535**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 523**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HB 262**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS for HB 270**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **SB 480**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS for HB 661**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following reports:

Mr. President: Your Committee on Education, to which was referred **HB 758**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS for HB 138**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS for HB 441**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS for HB 253**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 94**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HB 248**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Libla, Chairman of the Committee on Small Business and Industry, submitted the following reports:

Mr. President: Your Committee on Small Business and Industry, to which was referred **HB 289**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Small Business and Industry, to which was referred **HB 493**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS** for **HB 703**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 843**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 200**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS** for **HB 199**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 956**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute,

hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 87**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 52**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS for HB 647**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS for HB 353**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS for HB 54**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 355**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following report:

Mr. President: Your Committee on Insurance and Banking, to which was referred **HB 587**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **HCS for 258**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **HCS for HB 122**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **HCS** for **HB 230**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 407**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **SB 353**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 380**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 645**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 183**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 700**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 542**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 297**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 474**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 483**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **SB 498**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 61**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 128**, **HB 678**, **HB 701** and **HB 964**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass and be placed on the Consent Calendar.

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following reports, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which were referred the following appointments, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to the following:

Carlos A. Haley, Republican, as a member of the Missouri Southern State University Board of Governors;

Also,

Chlora A. Lindley-Myers, as Director of the Department of Insurance, Financial Institutions and Professional Registration;

Also,

Charles L. Bryant, as a member of the Public School Retirement System of Missouri Board of Trustees; and

Patrick H. White, as a member of the Missouri Palliative Care and Quality of Life Interdisciplinary Council.

Senator Richard requested unanimous consent of the Senate to vote on the above reports in one motion. There being no objection, the request was granted.

Senator Richard moved that the committee reports be adopted, and the Senate do give its advice and consent to the above appointments, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Kehoe moved that **SCR 4**, with point of order (pending), be called from the Informal Calendar

and again taken up for 3rd reading and final passage, which motion prevailed.

President Pro Tem Richard ruled the pending point of order well taken.

SCR 4 was again taken up.

On motion of Senator Kehoe, **SCR 4** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rowden	Sater
Schatz	Sifton	Wallingford	Walsh	Wasson—26		

NAYS—Senators

Dixon	Rizzo	Romine	Schaaf	Schupp	Silvey	Wieland—7
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the concurrent resolution passed.

On motion of Senator Kehoe, title to the concurrent resolution was agreed to.

Senator Kehoe moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

SENATE BILLS FOR PERFECTION

Senator Walsh moved that **SB 49**, with **SCS**, be called from the Informal Calendar and taken up for perfection, which motion prevailed.

SCS for **SB 49**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 49

An Act to amend chapter 92, RSMo, by adding thereto two new sections relating to local sales tax for certain zoological organizations.

Was taken up.

Senator Walsh moved that **SCS** for **SB 49** be adopted.

Senator Walsh offered **SS** for **SCS** for **SB 49**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 49

An Act to repeal sections 67.505 and 67.547, RSMo, and to enact in lieu thereof two new sections relating to local sales taxes.

Senator Walsh moved that **SS** for **SCS** for **SB 49** be adopted.

Senator Koenig offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 49, Page 5, Section 67.547, Line 13 of said page, by inserting immediately after “thereon.” the following: **“A county shall not submit to the voters a proposed sales tax under this section for a period of two years from the date of an election in which the county previously submitted to the voters a proposed sales tax under this section, regardless of whether the initial proposed sales tax was approved or disapproved by the voters.”**; and further amend line 28 of said page, by inserting at the end of said line the following: **“Beginning August 28, 2017, the combined rate of sales taxes adopted under this section by any county shall not exceed one percent.”**; and

Further amend said bill and section, page 6, line 12 of said page, by inserting immediately after “county.” the following: **“Three-eighths of the tax rate adopted by such a county shall be included in the calculation of the county’s one percent combined tax rate ceiling provided in subsection 3 of this section.”**; and

Further amend said bill and section, page 8, line 24 of said page, by inserting after all of said line the following:

“94.510. 1. Any city may, by a majority vote of its council or governing body, impose a city sales tax for the benefit of such city in accordance with the provisions of sections 94.500 to 94.550; provided, however, that no ordinance enacted pursuant to the authority granted by the provisions of sections 94.500 to 94.550 shall be effective unless the legislative body of the city submits to the voters of the city, at a public election, a proposal to authorize the legislative body of the city to impose a tax under the provisions of sections 94.500 to 94.550. The ballot of submission shall be in substantially the following form:

Shall the city of _____ (insert name of city) impose a city sales tax of _____ (insert rate of percent) percent?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the legislative body of the city shall have no power to impose the tax herein authorized unless and until the legislative body of the city shall again have submitted another proposal to authorize the legislative body of the city to impose the tax under the provisions of sections 94.500 to 94.550, and such proposal is approved by a majority of the qualified voters voting thereon.

2. The sales tax may be imposed at a rate of one-half of one percent, seven-eighths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525; except that, each city not within a county may impose such tax at a rate not to exceed one and three-eighths percent. **Beginning August 28, 2017, the combined rate of sales taxes adopted under this section by any city shall not exceed two percent.**

3. If any city in which a city tax has been imposed in the manner provided for in sections 94.500 to 94.550 shall thereafter change or alter its boundaries, the city clerk of the city shall forward to the director

of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by the act shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

4. If any city abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.”; and

Further amend the title and enacting clause accordingly.

Senator Koenig moved that the above amendment be adopted, which motion prevailed.

Senator Wallingford assumed the Chair.

Senator Walsh moved that **SS for SCS for SB 49**, as amended, be adopted, which motion prevailed.

On motion of Senator Walsh, **SS for SCS for SB 49**, as amended, was declared perfected and ordered printed.

Senator Schupp moved that **SB 490** be called from the Informal Calendar and taken up for perfection, which motion prevailed.

Senator Schupp offered **SS for SB 490**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 490

An Act to repeal sections 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, and 337.718, RSMo, and to enact in lieu thereof eleven new sections relating to suicide prevention training for health care professionals.

Senator Schupp moved that **SS for SB 490** be adopted, which motion prevailed.

On motion of Senator Schupp, **SS for SB 490** was declared perfected and ordered printed.

HOUSE BILLS ON THIRD READING

HCS for HBs 90 and 68, entitled:

An Act to amend chapter 195, RSMo, by adding thereto seven new sections relating to the narcotics control act, with penalty provisions.

Was taken up by Senator Schatz.

Senator Schatz offered **SS for HCS for HBs 90 and 68**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 90 & 68

An Act to amend chapter 195, RSMo, by adding thereto seven new sections relating to a program for the monitoring of certain prescribed controlled substances, with penalty provisions.

Senator Schatz moved that SS for HCS for HBs 90 and 68 be adopted.

Senator Sater offered SA 1:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 & 68, Page 5, Section 195.453, Line 1 of said page, by striking “or”; and further amend lines 2-4 of said page, by striking said lines and inserting in lieu thereof the following:

“(4) When the patient is under the care of a hospital, as defined in section 197.020, or ambulatory surgical center, as defined in section 197.200, that distributes controlled substances for the purpose of inpatient care or issues prescriptions for controlled substances at the time of discharge from the facility in which the prescription does not exceed a five day supply;

(5) When the controlled substance is administered directly to the patient; or

(6) When there is an established prescriber-patient relationship and a nonopioid controlled substance is being prescribed.”.

Senator Sater moved that the above amendment be adopted.

Senator Rowden assumed the Chair.

Senator Schaaf offered SSA 1 for SA 1:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 5, Section 195.453, Lines 2-4, by striking said lines and inserting in lieu thereof the following:

“(4) When the patient is under the care of a hospital, as defined in section 197.020, or ambulatory surgical center, as defined in section 197.200, that distributes controlled substances for the purpose of inpatient care or issues prescriptions for controlled substances at the time of discharge from the facility in which the prescription does not exceed a five day supply; provided that such prescriber utilizes the program at the time of the patient’s admission to the hospital or ambulatory surgical center.”.

Senator Schaaf moved that the above substitute amendment be adopted.

Senator Schaaf offered SA 1 to SSA 1 for SA 1:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 1, Line 12, by inserting after the word

“center” the following:

“;

(5) When the controlled substance is administered directly to the patient in an emergency room setting; or

(6) When there is a previously established prescriber-patient relationship and a nonopioid controlled substance, other than a benzodiazepine, is being prescribed”.

Senator Schaaf moved that the above amendment be adopted.

At the request of Senator Sater, SA 1 was withdrawn, rendering SSA 1 for SA 1 and SA 1 to SSA 1 for SA 1 moot.

Senator Sater offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 5, Section 195.453, Line 1 of said page, by striking the word “or”; and further amend lines 2-4 of said page, by striking said lines and inserting in lieu thereof the following:

“(4) When the patient is under the care of a hospital, as defined in section 197.020, or ambulatory surgical center, as defined in section 197.200, that distributes controlled substances for the purpose of inpatient care or issues prescriptions for controlled substances at the time of discharge from the facility in which the prescription does not exceed a five day supply; provided that such hospital or ambulatory surgical center utilizes the program at the time of the patient’s admission;

(5) When the controlled substance is administered directly to the patient in an emergency room setting; or

(6) When there is a previously established prescriber-patient relationship and a nonopioid controlled substance, other than a benzodiazepine, is being prescribed.”; and

Further amend said bill, page 8, Section 195.465, lines 14-18, by striking all of said lines.

Senator Sater moved that the above amendment be adopted.

Senator Schaaf offered SA 1 to SA 2:

SENATE AMENDMENT NO. 1 TO SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 1, Lines 11-13, by striking all of said lines and inserting in lieu thereof the following: **“five day supply; provided that such prescriber utilizes the program or ensures that the program has been utilized since the patient’s admission;”.**

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

SA 2, as amended, was again taken up.

Senator Sater moved that SA 2, as amended, be adopted, which motion prevailed.

Senator Kraus offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 7, Section 195.462, Lines 24-25 of said page, by striking said lines and inserting in lieu thereof the following:

“2. Notwithstanding the provisions of section 23.253 of the Missouri sunset act to the contrary, the provisions of sections 195.450 to 195.468 shall expire on August 28, 2021.

Senator Kraus moved that the above amendment be adopted.

Senator Schatz offered SSA 1 for SA 3:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 3

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 7, Section 195.462, Lines 24-25 of said page, by striking said lines and inserting in lieu thereof the following:

“2. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under sections 195.450 to 195.468 shall automatically sunset six years after the effective date of sections 195.450 to 195.468 unless reauthorized by an act of the general assembly;

(2) If such program is reauthorized, the program authorized under sections 195.450 to 195.468 shall automatically sunset twelve years after the effective date of the reauthorization of sections 195.450 to 195.468; and

(3) Sections 195.450 to 195.468 shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under sections 195.450 to 195.468 is sunset.”.

Senator Schatz moved that the above substitute amendment be adopted, which motion prevailed.

Senator Kraus offered SA 4:

SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 7, Section 195.456, Line 4 of said page, by inserting after all of said line the following:

“9. Beginning August 28, 2019, the department shall maintain an individual’s prescription and dispensation information obtained under sections 195.450 to 195.468 for a maximum of one hundred eighty days. Such prescription or dispensation information shall thereafter be deleted from the program after one hundred eighty days.”.

Senator Kraus moved that the above amendment be adopted.

Senator Schatz offered SSA 1 for SA 4:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 4

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 7, Section 195.456, Line 4 of said page, by inserting after all of said line the following:

“9. Beginning August 28, 2019, the department shall maintain an individual’s prescription and dispensation information obtained under sections 195.450 to 195.468 for a maximum of two years. Such prescription or dispensation information shall thereafter be deleted from the program after two years.”.

Senator Schatz moved that the above substitute amendment be adopted.

At the request of Senator Kraus, SA 4 was withdrawn, rendering SSA 1 for SA 4 moot.

Senator Kraus offered SA 5:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 7, Section 195.456, Line 4 of said page, by inserting after all of said line the following:

“9. Beginning August 28, 2019, the department shall maintain an individual’s prescription and dispensation information obtained under sections 195.450 to 195.468 for a maximum of one hundred eighty days. Such prescription or dispensation information shall thereafter be deleted from the program after one hundred eighty days.”.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Hoskins offered SA 6:

SENATE AMENDMENT NO. 6

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 7, Section 195.456, Line 4 of said page, by inserting after all of said line the following:

“9. Any individual who has authority under sections 195.450 to 195.468 to access the program’s database shall complete a department-approved training course prior to accessing the database for the first time.”.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

Senator Koenig offered SA 7:

SENATE AMENDMENT NO. 7

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 2, Section 195.450, Line 15, by inserting after the word “substance” the following: **“of the opioid class or the benzodiazepine class”.**

Senator Koenig moved that the above amendment be adopted, which motion prevailed.

Senator Eigel offered SA 8:

SENATE AMENDMENT NO. 8

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 90 and 68, Page 8, Section 195.465, Line 18, by inserting after all of said line the following:

“4. Neither the sovereign nor the official immunity doctrines shall apply to a person, department, or department employee authorized to have information obtained under sections 195.450 to 195.468 in instances when such information is intentionally disclosed to, or obtained by, an unauthorized party. If personally identifiable information is intentionally disclosed to, or obtained by, an unauthorized party, then the person whose information was compromised shall have a cause of action to recover liquidated damages in the amount of five thousand dollars in addition to compensatory economic and noneconomic damages, attorney fees, and court costs from the department which was the custodian of such information. A court may also award punitive damages. None of the foregoing

damages shall be paid out from the state legal expense fund, but shall be paid by the department.”.

Further amend the title and enacting clause accordingly.

Senator Eigel moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Schatz moved that **SS** for **HCS** for **HBs 90** and **68**, as amended, be adopted, which motion prevailed.

On motion of Senator Schatz, **SS** for **HCS** for **HBs 90** and **68**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Kehoe	Libla
Munzlinger	Nasheed	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh

Wasson—22

NAYS—Senators

Brown	Eigel	Emery	Hoskins	Koenig	Kraus	Onder
Schaaf	Wieland—9					

Absent—Senators

Holsman	Hummel—2
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

THIRD READING OF SENATE BILLS

SB 204, introduced by Senator Sifton, entitled:

An Act to repeal section 650.055, RSMo, and to enact in lieu thereof one new section relating to the collection of biological samples from individuals arrested for felony offenses, with an existing penalty provision.

Was taken up.

On motion of Senator Sifton, **SB 204** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Hoskins	Kehoe	Libla	Munzlinger	Nasheed	Onder	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schatz	Sifton

Silvey Wallingford Walsh Wasson—25

NAYS—Senators

Chappelle-Nadal Koenig Kraus Schupp Wieland—5

Absent—Senators

Holsman Hummel Schaaf—3

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sifton, title to the bill was agreed to.

Senator Sifton moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 99, introduced by Senator Emery, entitled:

An Act to amend chapter 455, RSMo, by adding thereto one new section relating to electronic monitoring of persons who have been charged with or found guilty of violating protection orders, with an expiration date.

Was taken up.

On motion of Senator Emery, **SB 99** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Holsman Hummel Schaaf—3

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Emery, title to the bill was agreed to.

Senator Emery moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 373, introduced by Senator Curls, entitled:

An Act to amend chapter 208, RSMo, by adding thereto one new section relating to the Missouri senior farmers' market nutrition program.

Was taken up.

On motion of Senator Curls, **SB 373** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Holsman	Hummel	Schaaf—3
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Curls, title to the bill was agreed to.

Senator Curls moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SB 376, introduced by Senator Hoskins, entitled:

An Act to amend chapter 10, RSMo, by adding thereto two new sections relating to the designation of state dogs.

Was taken up.

On motion of Senator Hoskins, **SB 376** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Hoskins	Kehoe	Koenig	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schatz	Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Kraus	Silvey—2
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Absent—Senators

Holsman	Hummel	Schaaf—3
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hoskins, title to the bill was agreed to.

Senator Hoskins moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SCS for SB 88, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 88

An Act to amend chapter 340, RSMo, by adding thereto one new section relating to actions against veterinarians.

Was taken up by Senator Brown.

On motion of Senator Brown, **SCS for SB 88** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Holsman	Hummel	Schaaf—3
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Schatz requested unanimous consent of the Senate to correct the committee report from the Committee on Transportation, Infrastructure and Public Safety on **HB 700** to reflect the adoption of the **SCS**, which request was granted.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety,

submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 811**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 805**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 664**, begs leave to report that it has considered the same and recommends that the bill do pass and be placed on the Consent Calendar.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SS** for **SCS** for **SB 49** and **SS** for **SB 490**, begs leave to report that it has examined the same and finds that the bills have been truly perfected and that the printed copies furnished the Senators are correct.

Senator Rowden assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 411**, entitled:

An Act to repeal sections 173.1101, 173.1102, 173.1104, 173.1105, and 173.1107, RSMo, and to enact in lieu thereof five new sections relating to virtual education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 105**, entitled:

An Act to repeal section 143.1016, RSMo, and to enact in lieu thereof one new section relating to the organ donor program fund.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 260**, entitled:

An Act to repeal sections 210.110, 210.152, and 210.565, RSMo, and to enact in lieu thereof three new sections relating to child welfare, with an emergency clause for a certain section.

Emergency Clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 303**, entitled:

An Act to repeal section 400.9-501, RSMo, and to enact in lieu thereof two new sections relating to the offense of filing false documents, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 433**, entitled:

An Act to repeal sections 311.020, 311.070, 311.185, 311.201, 311.355, 311.420, 311.275, 311.462, and 311.510, RSMo, and to enact in lieu thereof eleven new sections relating to intoxicating liquor.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS No. 2** for **SCS** for **HCS** for **HB 130** and has taken up and passed **SS No. 2** for **SCS** for **HCS** for **HB 130**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 598**, entitled:

An Act to repeal section 34.378, RSMo, and to enact in lieu thereof two new sections relating to contingency fee contracts.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 656**, entitled:

An Act to repeal sections 67.1830, 67.1846, 67.5090, 67.5092, 67.5094, 67.5102, and 67.5104, RSMo, and to enact in lieu thereof eight new sections relating to the uniform wireless communication infrastructure deployment act.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 698**, entitled:

An Act to repeal section 253.040, RSMo, and to enact in lieu thereof two new sections relating to maintaining Missouri state parks.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 17**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 18**, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for refunds, distributions, planning, expenses, and land improvements; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 19**, entitled:

An Act to appropriate money for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds herein designated for the fiscal period beginning July 1, 2017 and ending June 30, 2018.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 13, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Amelia A. Counts, Independent, 318 Panhurst Court, Ballwin, Saint Louis County, Missouri 63021, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2023, and until her successor is duly appointed and qualified; vice, Stephen B. Hoven, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointment to the Committee on Gubernatorial Appointments.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 732, regarding the 2016-2017 NCAA Division II Champion Northwest Missouri State University men's basketball program, which was adopted.

Senator Hegeman offered Senate Resolution No. 733, regarding the 2016 NCAA Division II Champion Northwest Missouri State University football program, which was adopted.

Senator Riddle offered Senate Resolution No. 734, regarding Corrections Officer I Austin Richardson, Fulton, which was adopted.

Senator Cunningham offered Senate Resolution No. 735, regarding South Central Ozarks Council of Governments, which was adopted.

Senator Cunningham offered Senate Resolution No. 736, regarding Primrose Casey, Houston, which was adopted.

Senator Romine offered Senate Resolution No. 737, regarding Kara Loyd, Redford, which was adopted.

Senator Romine offered Senate Resolution No. 738, regarding Teresa Govro, Festus, which was adopted.

Senator Kehoe offered Senate Resolution No. 739, regarding Carol Eckert, Belleville, Illinois, which was adopted.

Senator Kehoe offered Senate Resolution No. 740, regarding Eagle Scout Jonathan Schwartz, Freeburg, which was adopted.

Senator Riddle offered Senate Resolution No. 741, regarding Makayla Suzanne McMullin, Wright City, which was adopted.

Senator Walsh offered Senate Resolution No. 742, regarding Elena Garcia Kenyon, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 743, regarding Mikayla Watson, Florissant, which was adopted.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, Dr. Kristin Sohl, University of Missouri - Columbia and fifteen fellow pediatricians.

Senator Brown introduced to the Senate, Gary Young and Tim Belshe, Waynesville.

Senator Brown introduced to the Senate, Ron Tracy and twenty-five students from Waynesville High School; and Becka Tracy, Kaylie Bolin, Sophia Woodall and Abigale Koerner, were made honorary pages.

Senator Kehoe introduced to the Senate, Micayla Gentges, Jefferson City.

Senator Emery introduced to the Senate, the Physician of the Day, Dr. Gustin Bateman, Clinton.

Senator Schupp introduced to the Senate, teachers Abbie Duvall and Kristie Kreber, and students from Rossman School, St. Louis County.

Senator Cunningham introduced to the Senate, students from Liberty Faith Christian Academy, Norwood.

Senator Onder introduced to the Senate, his wife, Allison, and their children, Michael, Joseph, Christine and Peter, Lake St. Louis.

Senator Cunningham introduced to the Senate, Amanda Engemann, and her children, Blake, Atalie and Haley, Hermann.

Senator Schatz introduced to the Senate, Wesley Tyree and Ryli Jetton, Sullivan.

Senator Riddle introduced to the Senate, Dr. Kayce Morton, Dr. Christina Moellering, Dr. Laura Waters and Dr. Amanda Parsley, representatives of the Missouri State American Academy of Pediatrics.

Senator Emery introduced to the Senate, Kellie and Dillon Jackman, Trevor Hanlin, and Stacy and Ryan King, Stonegate Elementary School, Raymore; and Dillon, Trevor and Ryan were made honorary pages.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Tuesday, April 18, 2017.

SENATE CALENDAR

FIFTY-FIFTH DAY—TUESDAY, APRIL 18, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 411
HB 105-Love
HCS for HB 260
HCS for HB 303

HCS for HB 433
HB 598-Cornejo
HCS for HB 652
HCS for HB 698

HCS for HB 17

HCS for HB 18

HCS for HB 19

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 313-Koenig
(In Fiscal Oversight)

SS for SCS for SB 49-Walsh
SS for SB 490-Schupp

SENATE BILLS FOR PERFECTION

1. SB 469-Schatz
2. SB 517-Wasson
3. SB 435-Cunningham, with SCS
4. SB 451-Nasheed
5. SB 419-Riddle
6. SB 264-Dixon
7. SB 495-Riddle with SCS
8. SB 532-Hoskins
9. SB 518-Emery
10. SB 341-Nasheed, with SCS
11. SJR 5-Emery, with SCS

12. SB 305-Kehoe, et al
13. SB 535-Wallingford
14. SB 523-Sater, with SCS
15. SB 480-Kraus
16. SB 407-Riddle, with SCS
17. SB 353-Wallingford, with SCS
18. SB 380-Riddle
19. SB 297-Hummel, with SCS
20. SB 474-Schatz
21. SB 483-Holsman
22. SB 498-Nasheed

HOUSE BILLS ON THIRD READING

1. HB 288-Fitzpatrick (Kehoe)
2. HCS for HB 151
3. HB 850-Davis
4. HCS for HB 452
5. HCS for HB 831, with SCS
6. HCS for HB 381, with SCS
7. HB 58-Haefner (Onder)
8. HB 175-Reiboldt, with SCS (Munzlinger)
9. HB 327-Morris
10. HB 680-Fitzwater, with SCS
11. HCS for HB 57-Haefner, with SCS
(Libla)
12. HCS for HB 422
13. HB 245-Rowland, with SCS (Cunningham)
14. HB 262-Sommer (Hoskins)
15. HCS for HB 270 (Rowden)
16. HCS for HB 661, with SCS (Emery)

17. HB 758-Cookson, with SCS
18. HCS for HB 138, with SCS (Onder)
19. HCS for HB 441 (Rowden)
20. HCS for HB 253, with SCS (Romine)
21. HB 94-Lauer (Romine)
22. HB 248-Fitzwater, with SCS
(Cunningham)
23. HB 289-Fitzpatrick, with SCS (Rowden)
24. HB 493-Bondon, with SCS (Silvey)
25. HB 52-Andrews
26. HCS for HB 647, with SCS (Sater)
27. HCS for HB 353, with SCS
28. HCS for HB 54, with SCS (Emery)
29. HB 355-Bahr (Eigel)
30. HCS for HB 122, with SCS (Onder)
31. HCS for HB 230, with SCS (Koenig)
32. HB 700-Cookson, with SCS (Libla)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SB 147-Romine
SB 6-Richard, with SCS	SB 156-Munzlinger, with SCS
SB 13-Dixon	SB 157-Dixon, with SCS
SB 20-Brown	SB 158-Dixon
SB 21-Brown	SB 163-Romine
SB 28-Sater, with SCS (pending)	SB 169-Dixon, with SCS
SB 32-Emery, with SCS	SB 171-Dixon and Sifton, with SCS
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 176-Dixon
SB 41-Wallingford and Emery, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 177-Dixon, with SCS
SBs 44 & 63-Romine, with SCS	SB 178-Dixon
SB 46-Libla, with SCS	SB 180-Nasheed, with SCS
SB 61-Hegeman, with SCS	SB 183-Hoskins, with SCS
SB 67-Onder, et al, with SS, SA 1 & SSA 1 for SA 1 (pending)	SB 184-Emery, with SS (pending)
SB 68-Onder and Nasheed	SB 185-Onder, et al, with SCS
SB 76-Munzlinger	SB 188-Munzlinger, with SCS
SB 80-Wasson, with SCS	SB 189-Kehoe, with SCS
SB 81-Dixon	SB 190-Emery, with SCS & SS#2 for SCS (pending)
SB 83-Dixon	SB 196-Koenig
SB 85-Kraus, with SCS	SB 199-Wasson
SB 96-Sater and Emery	SB 200-Libla
SB 97-Sater, with SCS	SB 201-Onder, with SCS
SB 102-Cunningham, with SCS	SB 203-Sifton, with SCS
SB 103-Wallingford	SB 207-Sifton
SB 109-Holsman, with SCS	SB 209-Wallingford
SB 115-Schupp, with SCS	SB 210-Onder, with SCS
SB 117-Schupp, with SCS	SB 220-Riddle, with SCS & SS for SCS (pending)
SB 122-Munzlinger, with SCS	SB 221-Riddle
SB 123-Munzlinger	SB 223-Schatz, with SCS
SB 126-Wasson	SB 227-Koenig, with SCS
SB 129-Dixon and Sifton, with SCS	SB 228-Koenig, with SS & SA 1 (pending)
SB 130-Kraus, with SCS	SB 230-Riddle
SB 133-Chappelle-Nadal	SB 232-Schatz
SB 138-Sater	SB 233-Wallingford
SB 141-Emery	SB 234-Libla, with SCS
SB 142-Emery	SB 239-Rowden, with SCS
SB 144-Wallingford	SB 242-Emery, with SCS
SB 145-Wallingford, with SCS	SB 243-Hegeman
	SB 247-Kraus, with SCS

SB 250-Kehoe
 SB 252-Dixon, with SCS
 SB 258-Munzlinger
 SB 259-Munzlinger
 SB 260-Munzlinger
 SB 261-Munzlinger
 SB 262-Munzlinger
 SB 263-Riddle
 SB 267-Schatz, with SCS
 SB 271-Wasson and Richard, with SCS
 SB 280-Hoskins, with SCS
 SB 284-Hegeman, with SCS
 SBs 285 & 17-Koenig, with SCS
 SB 286-Rizzo
 SB 290-Schatz, with SCS
 SB 295-Schaaf, with SCS
 SB 298-Curls
 SB 303-Wieland, with SCS
 SB 311-Wasson, with SCS
 SBs 314 & 340-Schatz, et al, with SCS
 SB 316-Rowden, with SCS
 SB 325-Kraus
 SBs 327, 238 & 360-Romine, with SCS
 SB 328-Romine, with SCS & SA 3 (pending)
 SB 330-Munzlinger
 SB 331-Hegeman
 SB 333-Schaaf, with SCS
 SB 336-Wieland
 SB 348-Wasson, with SA 1 (pending)
 SB 349-Wasson
 SB 358-Wieland
 SB 362-Hummel

SB 368-Rowden
 SB 371-Schaaf, with SA 2 & SSA 1 for
 SA 2 (pending)
 SB 378-Wallingford
 SB 379-Schatz
 SB 381-Riddle
 SB 383-Eigel and Wieland
 SB 384-Rowden, with SCS
 SB 389-Sater, with SCS
 SB 391-Munzlinger
 SB 392-Holsman
 SB 406-Wasson and Sater
 SB 409-Koenig
 SB 410-Schatz
 SB 413-Munzlinger
 SB 418-Hegeman, with SCS
 SB 422-Cunningham, with SCS
 SB 426-Wasson, with SCS
 SB 427-Wasson
 SB 430-Cunningham, with SCS
 SB 433-Sater, with SCS
 SB 442-Hegeman
 SB 445-Rowden
 SB 448-Emery
 SB 468-Hegeman
 SB 475-Schatz
 SB 485-Hoskins
 SB 526-Brown
 SJR 9-Romine, with SCS
 SJR 11-Hegeman, with SCS
 SJR 12-Eigel
 SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)
 HB 35-Plocher (Dixon)
 HB 51-Andrews, with SCS (Hegeman)
 HCS for HB 66, with SCS (Sater)
 HB 85-Redmon, with SCS (Hegeman)
 HCS for HBs 91, 42, 131, 265 & 314
 (Brown)
 HB 93-Lauer, with SCS (Wasson)

HB 95-McGaugh (Emery)
 HB 104-Love (Brown)
 HCS for HB 115, with SCS (Wasson)
 HCS for HBs 190 & 208 (Eigel)
 HB 207-Fitzwater (Romine)
 HB 251-Taylor, with SCS, SS for SCS,
 SA 2 & SA 3 to SA 2 (pending) (Onder)
 HCS for HB 292, with SCS (Cunningham)

HCS for HBs 302 & 228, with SCS (Schatz)
HB 336-Shull (Rowden)
HCS for HBs 337, 259 & 575 (Schatz)
HCS for HBs 339 & 714, with SCS (Rowden)
HCS for HB 427, with SCS (Kehoe)
HCS for HB 451 (Wasson)

HCS for HB 460 (Munzlinger)
HB 461-Kolkmeier (Munzlinger)
HB 462-Kolkmeier (Munzlinger)
HB 655-Engler (Dixon)
HCS for HBs 1194 & 1193 (Hegeman)
HCB 3-Fitzpatrick (Koenig)

CONSENT CALENDAR

House Bills

Reported 4/13

HB 871-Davis, with SCS
HCS for HB 304, with SCS
HB 1045-Haahr (Wasson)
HB 909-Fraker (Wasson)
HCS for HB 631, with SCS
HCS for HB 703 (Hegeman)
HB 843-McGaugh, with SCS (Hegeman)
HB 200-Fraker, with SCS
HCS for HB 199, with SCS
HB 956-Vescovo, with SCS (Rizzo)
HB 87-Henderson, with SCS (Romine)

HB 587-Redmon, with SCS (Hegeman)
HCS for HB 258, with SCS
HCS for HB 645
HCS for HB 183
HCS for HB 542 (Schatz)
HB 61-Alferman (Schatz)
HB 128, HB 678, HB 701 & HB 964-Davis,
with SCS
HB 811-Ruth (Wieland)
HB 805-Basye (Rowden)
HB 664-Korman (Riddle)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 18-Wallingford
HCS for HCR 19

HCR 28-Rowland

To be Referred

SCR 25-Cunningham

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-FIFTH DAY—TUESDAY, APRIL 18, 2017

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

Reverend Carl Gauck offered the following prayer:

“Praise the Lord, all you nations Extol him, all you peoples For great is his steadfast love towards us, and the faithful ness of the Lord, endures forever. Praise the Lord” (Psalm 117)

Gracious God, we are thankful for this day and the freshness that comes after the rain and the greening and budding of the trees and grasses. We are thankful for the refreshing time we have had to enjoy time with family and friends and to find meaning and purpose in the new life we are offered. So we give You thanks and praise as we begin another new week to serve You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 13, 2017 was read.

Senator Kehoe requested unanimous consent of the Senate to correct the Senate Journal for Thursday, April 13, 2017, Page 859, Line 18, by striking “Kraus” and inserting in lieu thereof the following: “Cunningham”, which request was granted.

The Journal for Thursday, April 13, 2017 was approved as corrected.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

President Pro Tem Richard assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS No. 2** for **SCS** for **HCS** for **HB 130**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Rowden assumed the Chair.

CONCURRENT RESOLUTIONS

Senator Kehoe offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 26

WHEREAS, Section 29.351 of the Revised Statutes of Missouri provides that during the regular legislative session which convenes in an odd-numbered year, the General Assembly shall, by concurrent resolution, employ an independent certified public accountant or certified public accounting firm to conduct an audit examination of the accounts, functions, programs, and management of the State Auditor's office:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby authorize the employment of an independent certified public accountant or certified public accounting firm pursuant to the provisions of Section 29.351; and

BE IT FURTHER RESOLVED that the audit examination be made in accordance with generally accepted auditing standards, including such reviews and inspections of books, records and other underlying data and documents as are necessary to enable the independent certified public accountant performing the audit to reach an informed opinion on the condition and performance of the accounts, functions, programs, and management of the State Auditor's Office; and

BE IT FURTHER RESOLVED that upon completion of the audit, the independent certified public accountant make a written report of his or her findings and conclusions, and supply each member of the General Assembly, the Governor, and the State Auditor with a copy of the report; and

BE IT FURTHER RESOLVED that the cost of the audit and report be paid out of the joint contingent fund of the General Assembly; and

BE IT FURTHER RESOLVED that the Commissioner of Administration bid these services, at the direction of the General Assembly, pursuant to state purchasing laws; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the Commissioner of Administration.

RESOLUTIONS

Senator Silvey offered Senate Resolution No. 744, regarding Kendall "Ken" Fitzpatrick, Gladstone, which was adopted.

Senator Rowden offered Senate Resolution No. 745, regarding the Boonville River, Rails and Trails Visitor Center, which was adopted.

Senator Schupp offered Senate Resolution No. 746, regarding Alvin Andrews, Sr., Creve Coeur, which was adopted.

Senator Schupp offered Senate Resolution No. 747, regarding Robert Charles "Bob" Morton, Sr., Kirkwood, which was adopted.

Senator Hegeman offered Senate Resolution No. 748, regarding M. Michael Phillips, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 749, regarding Lila McLain, Cainsville, which was adopted.

Senator Hegeman offered Senate Resolution No. 750, regarding the Fiftieth Wedding Anniversary of Dwain and Sandy McCollum, Milan, which was adopted.

Senator Hegeman offered Senate Resolution No. 751, regarding the Fiftieth Wedding Anniversary of Ray and Marilyn Jermain, Conception Junction, which was adopted.

Senator Hegeman offered Senate Resolution No. 752, regarding Eagle Scout Roman G. Bernal, Kearney, which was adopted.

Senator Romine offered Senate Resolution No. 753, regarding Mildred Sloan, De Soto, which was adopted.

Senator Romine offered Senate Resolution No. 754, regarding Glenda Fallert, Bloomsdale, which was adopted.

Senator Wallingford offered Senate Resolution No. 755, regarding Kenneth Krieger, St. Mary, which was adopted.

Senator Wallingford offered Senate Resolution No. 756, regarding Brenda Krieger, St. Mary, which was adopted.

Senator Wallingford offered Senate Resolution No. 757, regarding Kenneth Koehler, Jackson, which was adopted.

Senator Wallingford offered Senate Resolution No. 758, regarding Donal Firebaugh, Fredericktown, which was adopted.

Senator Kehoe offered Senate Resolution No. 759, regarding Ralph Lemongelli, Wardsville, which was adopted.

Senator Koenig offered Senate Resolution No. 760, regarding John Judd, Saint Louis, which was adopted.

Senator Wasson offered Senate Resolution No. 761, regarding David Brazeal, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **HCS** for **HBs 90 & 68**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCB 4**, entitled:

An Act to repeal section 620.806, RSMo, and to enact in lieu thereof three new sections relating to workforce development.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCB 5**, entitled:

An Act to amend chapter 170, RSMo, by adding thereto one new section relating to computer programming education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 118**, entitled:

An Act to repeal sections 160.011, 160.041, 160.410, 160.415, 162.081, 163.018, 163.021, 163.073, 167.121, 167.131, 167.151, 167.225, 167.241, 168.133, 171.029, 171.031, 171.033, and 304.060, RSMo, and to enact in lieu thereof twenty-three new sections relating to elementary and secondary education, with an emergency clause for certain sections and a delayed effective date for a certain section.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 227**, entitled:

An Act to amend chapter 337, RSMo, by adding thereto fourteen new sections relating to the psychology interjurisdictional compact.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 694**, entitled:

An Act to repeal sections 142.800, 142.803, and 142.869, RSMo, and to enact in lieu thereof four new sections relating to motor fuel taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 121**, entitled:

An Act to repeal section 191.603, RSMo, and to enact in lieu thereof one new section relating to the health professional student loan repayment program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 209**, entitled:

An Act to repeal section 208.152, RSMo, and to enact in lieu thereof one new section relating to chiropractic services.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 35**.

HOUSE CONCURRENT RESOLUTION NO. 35

WHEREAS, On January 30, 2015, Secretary Chuck Hagel established the Defense POW/MIA Accounting Agency (DPAA) with the goal to remain committed to bringing our missing and fallen heroes home; and

WHEREAS, DPAA has launched investigations worldwide to locate sites associated with unaccounted servicemen, including, Vietnam where 1,617 Americans remain missing; and

WHEREAS, the United States involvement in the Vietnam War ended with the Paris Peace Accords on January 27, 1973; and

WHEREAS, there are 35 Missourians who are unaccounted for, 20 of those men are classified as killed in action, body not recovered, and 15 are classified as presumptive finding of death; and

WHEREAS, those 15 servicemen include: First Lieutenant Steven Neil Bezold, Chief Warrant Officer 2 Donald Martin Cramer, First Lieutenant William R. Edmondson, Private First Class Dickey W. Finley, Private First Class Paul Alfred Hasenbeck, First Lieutenant Frederick William Hess Jr., Lieutenant Junior Grade Charles Weldon Marik, Major Carl D. Miller, First Lieutenant Bernard Herbert Plassmeyer, Lieutenant Colonel Dayton William Ragland, First Lieutenant Dwight G. Rickman, Captain Robert Page Rosenbach, Captain John W. Seuell, First Lieutenant George Craig Smith, and Sergeant Randolph Bothwell Suber; and

WHEREAS, the families of those 15 servicemen have not had the closure of knowing what happened to their loved ones, or the option to bring their loved ones home for an honorable burial; and

WHEREAS, it has been 44 years since the end of the Vietnam War and 15 Missouri families have yet to be made whole again; and

WHEREAS, the DPAA needs to prioritize finding the 15 Missouri servicemen who are classified as presumptive finding of death and bring closure to those families:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the Defense POW/MIA Accounting Agency to prioritize resolving the cases of the 15 Missourians from the Vietnam War whose status is presumptive finding of death; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Defense POW/MIA Accounting Agency and each member of the Missouri congressional delegation.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 334**, entitled:

An Act to repeal sections 43.401, 70.210, 190.300, 190.307, 190.308, 190.325, 190.327, 190.328, 190.329, 190.335, 190.400, 190.410, 190.420, 190.430, 190.440, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof twenty-two new sections relating to emergency communication services, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 159**, entitled:

An Act to amend chapter 340, RSMo, by adding thereto one new section relating to actions against veterinarians.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 741**, entitled:

An Act to amend chapter 379, RSMo, by adding thereto two new sections relating to insurance markets for commercial insurance.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 729**, entitled:

An Act to repeal section 104.1091, RSMo, and to enact in lieu thereof two new sections relating to the retirement of state employees.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 935**, entitled:

An Act to repeal section 67.547, RSMo, and to enact in lieu thereof one new section relating to sales taxes.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Wasson, Chairman of the Committee on Economic Development, submitted the following report:

Mr. President: Your Committee on Economic Development, to which was referred **HB 1045**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden assumed the Chair.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 57**, with **SCS**, **HCS** for **HB 661**, with **SCS**, **HB 248**, with **SCS**, **HCS** for **HB 151**, **HB 327**, **HCS** for **HB 831**, with **SCS**, **HB 655** and **HB 245**, with **SCS** to the Committee on Fiscal Oversight.

President Pro Tem Richard referred **SCR 25** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for **HB 411**—Education.

HB 105—Ways and Means.

HCS for **HB 260**—Seniors, Families and Children.

HCS for **HB 303**—Judiciary and Civil and Criminal Jurisprudence.

SENATE BILLS FOR PERFECTION

SB 469 was placed on the Informal Calendar.

At the request of Senator Wasson, **SB 517** was placed on the Informal Calendar.

At the request of Senator Cunningham, **SB 435**, with **SCS** was placed on the Informal Calendar.

Senator Nasheed moved that **SB 451** be taken up for perfection, which motion prevailed.

Senator Nasheed offered **SS** for **SB 451**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 451

An Act to repeal sections 57.450 and 57.530, RSMo, and to enact in lieu thereof two new sections relating to the office of sheriff of the city of St. Louis, with an emergency clause.

Senator Nasheed moved that **SS** for **SB 451** be adopted.

At the request of Senator Nasheed, **SB 451**, with **SS** (pending), was placed on the Informal Calendar.

SB 419 was placed on the Informal Calendar.

Senator Dixon moved that **SB 264** be taken up for perfection, which motion prevailed.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Bill No. 264, Page 1, In the Title, Lines 2-3 of the title, by striking “the local workforce development act of 2017”; and inserting in lieu thereof the following: “local sales taxes”; and

Further amend said bill, Page 5, Section 67.1790, Line 152, by inserting after all of said line the following:

“184.503. 1. The governing body of any eligible county may, by resolution, authorize the creation of or participation in a district, and may impose a sales tax on all retail sales made within the eligible county which are subject to sales tax under chapter 144. The tax authorized in this section shall not exceed one-fourth of one percent, and shall be imposed solely for the purpose of funding the support of zoological activities within the district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. Such creation of or participation in such district and the levy of the sales tax may be accomplished individually or on a cooperative basis with another eligible county or other eligible counties for financial support of the district. A petition requesting such creation of or participation in such district and the levy of the sales tax for the purpose of funding the support of zoological activities within the district may also be filed with the governing body, and shall be signed by not less than the number of qualified electors of an eligible county equal to five percent of the number of ballots cast and counted at the last preceding gubernatorial election held in such county. No such resolution adopted or petition presented under this section shall become effective unless the governing body of the eligible county submits to the voters residing within the eligible county at a state general, primary, or special election a proposal to authorize the governing body of the eligible county to create or participate in a district and to impose a tax under this section. The county election official shall give legal notice at least sixty days prior to such general or primary election or special election in at least two newspapers that such proposition or propositions shall be submitted at the next general or primary election or special election held for submission of this proposition. The resolution or proposition shall be printed on the ballot and in the notice of election. Provisions of this section to the contrary notwithstanding, no tax authorized under the provisions of this section shall be effective in any eligible noncharter county unless the tax authorized under the provisions of this section is also collected by an eligible charter county.

2. The ballot for the proposition in any county shall be in substantially the following form:

Shall a retail sales tax of _____ (insert amount, not to exceed one-quarter of one percent) be levied and collected for the benefit of the Kansas City Zoological District, which shall be created and consist of the county(s) of _____ (insert name of counties), for the support of zoological activities with the district?

☐ YES

☐ NO

The governing body of the county may place additional language on the ballot to describe the use or allocation of the funds.

3. In the event that a majority of the voters voting on such proposition in such county at said election cast votes for the proposition, then the district shall be deemed established and the tax rate for such subdistrict shall be deemed in full force and effect as of the first day of the year following the year of said election and the governing body of such county may proceed with the performance of all things necessary and incidental to participation in the district. The results of the aforesaid election shall be certified by the election officials of such county to the governing body of such county not less than thirty days after the day

of election. In the event the proposition shall fail to receive a majority of the votes “FOR”, then such proposition shall not be resubmitted at any election held within one year of the date of the election the proposition was rejected. Any such resubmissions of such proposition shall substantially comply with the provisions of sections 184.500 to 184.515. **Any tax approved under this section shall expire after ten years unless reauthorized by a majority vote of the people.**

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. All sales taxes collected by the director of revenue from the tax authorized by this section on behalf of the district, less one percent for cost of collection, which shall be deposited in the state’s general revenue fund after payment of premiums for surety bonds, as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the “Kansas City Zoological District Sales Tax Trust Fund”. The moneys in the Kansas City zoological district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money collected and deposited in the trust fund and the records shall be open to the inspection of officers of the district, the counties composing the district, and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the Kansas City zoological district sales tax trust fund during the preceding month to the district.

6. The director of revenue may make refunds from the amounts in the Kansas City zoological district sales tax trust fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of the district. If the district abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the Kansas City zoological district sales tax trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such account. After one year has elapsed after the effective date of abolition of the tax in the district, the director of revenue shall remit the balance in the account to the district and close the account of the district. The director of revenue shall notify the district of each instance of any amount refunded or any check redeemed from receipts due the district.

7. Any of the eligible counties composing the Kansas City zoological district may withdraw from the district by adoption of a resolution and approval of the resolution by a majority of the qualified electors of the county, in the same manner provided in this section for creating or becoming a part of the district. The governing body of a withdrawing county shall provide for the sending of formal written notice of withdrawal from the district to the governing body of the other county or each of the other counties comprising the district. Actual withdrawal shall not take effect until ninety days after notice has been sent. A withdrawing county shall not be relieved from any obligation that such county may have assumed or incurred by reason of being a part of the district, including, but not limited to, the retirement of any outstanding bonded indebtedness of the district.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted.

Senator Holsman raised the point of order that **SA 1** goes beyond the scope of the underlying bill and is not germane. The point of order was referred to the President Pro Tem who ruled it not well taken.

At the request of Senator Kraus, **SA 1** was withdrawn.

At the request of Senator Dixon, **SB 264** was placed on the Informal Calendar.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

James D. Cunningham Jr., 3240 Buckingham Drive, Sedalia, Pettis County, Missouri 65301, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, Dawn Fuller, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Carla G. Holste, 301 Lucretia Lane, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Carla G. Holste, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Courtney L. Kovachevich, 11742 Longleaf Circle, Saint Louis, Saint Louis County, Missouri 63146, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Dorothy Rowland, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Joseph G. Plaggenberg, 211 Bluff Street, Jefferson City, Cole County, Missouri 65101, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, Joseph G. Plaggenberg, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Alice Chang Ray, 1301 Kiefer Bluffs Drive, Ballwin, Saint Louis County, Missouri 63021, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2019, and until her successor is duly appointed and qualified; vice, Alice Chang Ray, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102

April 14, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Eric R. Reece, 114 Forest Ridge Road, Rogersville, Christian County, Missouri 65742, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice Eric R. Reece, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

President Pro Tem Richard referred the above appointments to the Committee on Gubernatorial Appointments.

HOUSE BILLS ON THIRD READING

HCB 3, introduced by Representative Fitzpatrick, entitled:

An Act to repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof three new sections relating to funds for vulnerable senior citizens.

Was taken up by Senator Koenig.

Senator Hegeman assumed the Chair.

Senator Rowden assumed the Chair.

Senator Hummel offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Bill No. 3, Pages 1-3, Section 135.010, by striking all of said section; and

Further amend said bill, page 4, section 135.025, line 1, by striking all opening and closing brackets “[]” from said line and the strikeout coding between the brackets; and further amend lines 2 and 3 by striking the opening and closing brackets “[]” from said lines and the strikeout coding between the brackets; and further amend line 6 by striking all opening and closing brackets “[]” from said line and the strikeout coding between the brackets; and further amend lines 18-19 by striking all of said lines and inserting in lieu thereof the following: **“3. The director of the department of revenue shall calculate the amount of sales tax remittance retained by sellers under section 144.140 in fiscal year 2016. In fiscal year 2018”**; and

Further amend said bill, pages 4-5, section 135.030, by striking all of said section from the bill; and

Further amend said bill, page 5, section 135.030, line 38, by inserting after all of said line the following: “[144.140. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.]”; and

Further amend the title and enacting clause accordingly.

Senator Hummel moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Curls, Nasheed, Rizzo and Schupp.

Senator Kraus assumed the Chair.

Senator Hegeman assumed the Chair.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hummel	Rizzo	Schupp	Sifton	Walsh—7
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NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Holsman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Schaaf	Schatz	Wallingford	Wasson

Wieland—22

Absent—Senators

Dixon	Nasheed	Sater	Silvey—4
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Absent with leave—Senators—None

Vacancies—1

President Pro Tem Richard assumed the Chair.

Senator Curls offered SA 2:

SENATE AMENDMENT NO. 2

Amend House Committee Bill No. 3, Pages 1-3, Section 135.010, by striking all of said section; and

Further amend said bill, page 4, section 135.025, line 1, by striking all opening and closing brackets “[]” from said line and the strikeout coding between the brackets; and further amend lines 2 and 3 by striking the opening and closing brackets “[]” from said lines and the strikeout coding between the brackets; and further amend line 6 by striking all opening and closing brackets “[]” from said line and the strikeout coding between the brackets; and further amend lines 18-19 by striking all of said lines and inserting in lieu thereof the following: **“3. In fiscal year 2018”**; and further amend line 20 by striking the following: “an amount equal to such calculated amount” and inserting in lieu thereof the following: **“fifty million dollars”**; and

Further amend said bill, pages 4-5, section 135.030, by striking all of said section from the bill; and

Further amend said bill, Page 3, Section 135.030, Line 38, by inserting after all of said line the following:

“143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and the other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner, or the manner set forth in subdivision (3) of this subsection:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “Wholly in this state” if both the seller’s shipping point and the purchaser’s destination point are in this state;

b. “Partly within this state and partly without this state” if the seller’s shipping point is in this state and the purchaser’s destination point is outside this state, or the seller’s shipping point is outside this state and the purchaser’s destination point is in this state;

c. Not “wholly in this state” or not “partly within this state and partly without this state” only if both the seller’s shipping point and the purchaser’s destination point are outside this state.

(d) For purposes of this subdivision:

a. The purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale; and

b. The seller’s shipping point is determined without regard to the location of the seller’s principle office or place of business.

(3) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state;

(b) The amount of sales which are transactions in this state shall be divided by the total sales, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction;

(c) For the purposes of this subdivision, a transaction involving the sale of tangible property is:

a. “In this state” if the purchaser’s destination point is in this state;

b. Not “in this state” if the purchaser’s destination point is outside this state;

(d) For purposes of this subdivision, the purchaser’s destination point shall be determined without regard to the FOB point or other conditions of the sale and shall not be in this state if the purchaser received the tangible personal property from the seller in this state for delivery to the purchaser’s location outside this state[;

(e) For the purposes of this subdivision, a transaction involving the sale other than the sale of tangible property is “in this state” if the taxpayer’s market for the sales is in this state. The taxpayer’s market for sales is in this state:

a. In the case of sale, rental, lease, or license of real property, if and to the extent the property is located in this state;

b. In the case of rental, lease, or license of tangible personal property, if and to the extent the property is located in this state;

c. In the case of sale of a service, if and to the extent the ultimate beneficiary of the service is located in this state and shall not be in this state if the ultimate beneficiary of the service rendered by the taxpayer or the taxpayer's designee is located outside this state; and

d. In the case of intangible property:

(i) That is rented, leased, or licensed, if and to the extent the property is used in this state by the rentee, lessee, or licensee, provided that intangible property utilized in marketing a good or service to a consumer is "used in this state" if that good or service is purchased by a consumer who is in this state. Franchise fees or royalties received for the rent, lease, license, or use of a trade name, trademark, service mark, or franchise system or provides a right to conduct business activity in a specific geographic area are "used in this state" to the extent the franchise location is in this state; and

(ii) That is sold, if and to the extent the property is used in this state, provided that:

i. A contract right, government license, or similar intangible property that authorizes the holder to conduct a business activity in a specific geographic area is "used in this state" if the geographic area includes all or part of this state;

ii. Receipts from intangible property sales that are contingent on the productivity, use, or disposition of the intangible property shall be treated as receipts from the rental, lease, or licensing of such intangible property under item (i) of this subparagraph; and

iii. All other receipts from a sales of intangible property shall be excluded from the numerator and denominator of the sales factor;

(f) If the state or states of assignment under paragraph (e) of this subdivision cannot be determined, the state or states of assignment shall be reasonably approximated;

(g) If the state of assignment cannot be determined under paragraph (e) of this subdivision or reasonably approximated under paragraph (f) of this subdivision, such sales shall be excluded from the denominator of the sales factor;

(h) The director may prescribe such rules and regulations as necessary or appropriate to carry out the purposes of this section].

(4) For purposes of this subsection, the following words shall, unless the context otherwise requires, have the following meaning:

(a) "Administration services" include, but are not limited to, clerical, fund or shareholder accounting, participant record keeping, transfer agency, bookkeeping, data processing, custodial, internal auditing, legal and tax services performed for an investment company;

(b) "Affiliate", the meaning as set forth in 15 U.S.C. Section 80a-2(a)(3)(C), as may be amended from time to time;

(c) "Distribution services" include, but are not limited to, the services of advertising, servicing, marketing, underwriting or selling shares of an investment company, but, in the case of advertising, servicing or marketing shares, only where such service is performed by a person who is, or in the case of a closed end company, was, either engaged in the services of underwriting or selling investment company shares or affiliated with a person that is engaged in the service of underwriting or selling investment company shares. In the case of an open end company, such service of underwriting or selling shares must

be performed pursuant to a contract entered into pursuant to 15 U.S.C. Section 80a-15(b), as from time to time amended;

(d) “Investment company”, any person registered under the federal Investment Company Act of 1940, as amended from time to time, (the act) or a company which would be required to register as an investment company under the act except that such person is exempt to such registration pursuant to Section 80a-3(c)(1) of the act;

(e) “Investment funds service corporation” includes any corporation or S corporation doing business in the state which derives more than fifty percent of its gross income in the ordinary course of business from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. An investment funds service corporation shall include any corporation or S corporation providing management services as an investment advisory firm registered under Section 203 of the Investment Advisors Act of 1940, as amended from time to time, regardless of the percentage of gross revenues consisting of fees from management services provided to or on behalf of an investment company;

(f) “Management services” include but are not limited to, the rendering of investment advice directly or indirectly to an investment company making determinations as to when sales and purchases of securities are to be made on behalf of the investment company, or the selling or purchasing of securities constituting assets of an investment company, and related activities, but only where such activity or activities are performed:

a. Pursuant to a contract with the investment company entered into pursuant to 15 U.S.C. Section 80a-15(a), as from time to time amended;

b. For a person that has entered into such contract with the investment company; or

c. For a person that is affiliated with a person that has entered into such contract with an investment company;

(g) “Qualifying sales”, gross income derived from the provision directly or indirectly of management, distribution or administration services to or on behalf of an investment company or from trustees, sponsors and participants of employee benefit plans which have accounts in an investment company. For purposes of this section, “gross income” is defined as that amount of income earned from qualifying sources without deduction of expenses related to the generation of such income;

(h) “Residence”, presumptively the fund shareholder’s mailing address on the records of the investment company. If, however, the investment company or the investment funds service corporation has actual knowledge that the fund shareholder’s primary residence or principal place of business is different than the fund shareholder’s mailing address such presumption shall not control. To the extent an investment funds service corporation does not have access to the records of the investment company, the investment funds service corporation may employ reasonable methods to determine the investment company fund shareholder’s residence.

(5) Notwithstanding other provisions of law to the contrary, qualifying sales of an investment funds service corporation, or S corporation, shall be considered wholly in this state only to the extent that the fund shareholders of the investment companies, to which the investment funds service corporation, or S

corporation, provide services, are resided in this state. Wholly in this state qualifying sales of an investment funds service corporation, or S corporation, shall be determined as follows:

(a) By multiplying the investment funds service corporation's total dollar amount of qualifying sales from services provided to each investment company by a fraction, the numerator of which shall be the average of the number of shares owned by the investment company's fund shareholders resided in this state at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year, and the denominator of which shall be the average of the number of shares owned by the investment company's fund shareholders everywhere at the beginning of and at the end of the investment company's taxable year that ends with or within the investment funds service corporation's taxable year;

(b) A separate computation shall be made to determine the wholly in this state qualifying sales from each investment company. The qualifying sales for each investment company shall be multiplied by the respective percentage of each fund, as calculated pursuant to paragraph (a) of this subdivision. The product of this equation shall result in the wholly in this state qualifying sales. The qualifying sales for each investment company which are not wholly in this state will be considered wholly without this state;

(c) To the extent an investment funds service corporation has sales which are not qualifying sales, those nonqualified sales shall be apportioned to this state based on the methodology utilized by the investment funds service corporation without regard to this subdivision.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

9. Any investment funds service corporation organized as a corporation or S corporation which has any shareholders resided in this state shall be subject to Missouri income tax as provided in this chapter.

[10. The provisions of this section do not impact any other apportionment election available to a taxpayer under Missouri statutes.]; and

Further amend the title and enacting clause accordingly.

Senator Curls moved that the above amendment be adopted.

Senator Curls offered SA 1 to SA 2, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to House Committee Bill No. 3, Page 1, Section 135.025, Line 14 by striking “fifty” and inserting in lieu thereof **“fifty-two”**.

Senator Curls moved that the above amendment be adopted, which motion failed.

Senator Kraus offered SSA 1 for SA 2:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend House Committee Bill No. 3, Page 5, Section 135.030, Line 38, by inserting after all of said line the following:

“208.1205. 1. The department of social services shall apply for and obtain a Medicaid global waiver and any other necessary waivers or state plan amendments from the Secretary of the United States Department of Health and Human Services, including, but not limited to, a waiver of the appropriate sections of Title XIX, 42 U.S.C. Section 1396 et. seq. The application for and the provisions of such waivers or state plan amendments shall be implemented as follows:

(1) The federal waiver application process shall be reviewed by the joint committee on public assistance, established under section 208.952. Prior to the submission of the waiver application to the federal government, the department shall provide the joint committee with the proposed waiver application. The waiver application shall not be submitted to the federal government until the provisions of this section have been followed;

(2) The joint committee shall review the waiver application and hold a public hearing within thirty days of receipt of the application, during which public testimony shall be received. The director of the department, or the director of the division of MO HealthNet, shall testify on the proposed waiver application; and

(3) Within thirty days of the public hearing, the joint committee shall either accept or reject the proposed waiver application and shall, if necessary, propose modifications to or other recommendations for the application as submitted.

2. The waiver application shall include provisions, to the fullest extent possible, that maximize the flexibility of the state to design a patient-centered, sustainable, and cost-effective approach to a market-based health care system that emphasizes competitive and value-based purchasing. Such flexibility may include:

(1) Eligibility determinations which may include work requirements for certain able-bodied adults;

(2) Initiatives to promote healthy outcomes and reward personal responsibility, including the use of co-payments, premiums, and health savings accounts. Such initiatives may include the forgiveness of a patient’s co-payments, premiums, or other out-of-pocket obligations or the use of other incentives

in exchange for the patient's performance or participation in healthy incentives and wellness programs or for choosing lower-cost health care services;

(3) Measures to improve the quality of and to lower the cost of health care through policies such as selective contracting and competitive bidding, preferred provider networks, and health outcome-based provider reimbursement; and

(4) Accountability and transparency measures designed to promote interdepartmental cooperation and coordination while eliminating redundancies. Such measures shall also promote the efficient and cost-effective delivery of health care services in a patient-centered approach, including physical and mental health care services.

3. The waiver application shall include provisions, to the fullest extent possible, that propose or accept funding mechanisms similar to a federally-capped block grant, which may include capped per capita allocations, capped allotments, or shared savings based on per-enrollee spending targets, adjusted for inflation, state gross domestic product, state population growth, state Medicaid population growth, natural disasters, man-made disasters, extensive economic downturns, and other economic and demographic factors, for the duration of the waiver.

208.1210. 1. It shall be necessary to propose legislative changes in order to comply with the federal waiver application submitted under section 208.1205, if the application is approved by the federal government. Until such statutory changes are enacted through the legislative process, all applicable laws relating to MO HealthNet shall remain in effect. In order to effectuate additional programmatic changes to the MO HealthNet program beyond those authorized by the ninety-ninth general assembly, first regular session, and as authorized by the waiver, the department of social services shall propose the additional statutory changes required. Such changes cannot be effectuated until the necessary statutes have been enacted.

2. The joint committee on public assistance shall hold public hearings and receive public testimony on such proposed statutory changes to determine whether or not such proposals satisfy the goals enumerated in section 208.1205 and would result in substantial new opportunities for the MO HealthNet program on a cost-neutral basis.

3. Upon the enactment of legislation related to the waiver, the department shall adopt rules and regulations to implement the provisions of the waiver. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

208.1215. After the approval of the waiver application submitted under section 208.1205 by the federal government, the joint committee on public assistance shall meet at least twice a year. The joint committee shall have the authority to:

(1) Provide oversight on the Medicaid global waiver;

(2) Communicate as necessary with the director of the department of social services, the director of the MO HealthNet division, and any other divisions or departments within the scope of the MO HealthNet program;

(3) Recommend the type of services for the MO HealthNet program offered by the state;

(4) Issue, in accordance with section 21.400, subpoenas, subpoenas duces tecum, and orders for the production of books, accounts, papers, records, and documents; and

(5) Recommend to the general assembly and the department any amendments to the waiver and any corrective clarifying legislation that may be necessary.

208.1220. 1. In the event that the global waiver or related waivers or state plan amendments submitted under section 208.1205 are suspended or terminated for any reason, or in the event that the global waiver or related waivers or state plan amendments expire, the department of social services shall apply for an extension or renewal of the global waiver or any new waivers that, at a minimum, ensure the continuation of the waiver authorities in existence prior to the acceptance of the global waiver. The department shall ensure that any such actions are conducted in accordance with applicable federal statutes and regulations relating to waiver renewals, extensions, or terminations. The department shall, to the fullest extent possible, ensure that said waiver authorities are reinstated prior to any suspension, termination, or expiration of the global waiver.

2. In the event that the provisions of Title XIX, 42 U.S.C. Section 1396 et. seq. are changed or repealed to the extent that Medicaid becomes, or the federal government otherwise offers, a block grant to the states for the provision of health care services to certain eligible persons, the provisions of sections 208.1205 to 208.1215 shall expire.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above substitute amendment be adopted.

Senator Schaaf raised the point of order that **SSA 1** for **SA 2** goes beyond the scope of the bill.

The point of order was referred to the President Pro Tem.

At the request of Senator Kraus, **SSA 1** for **SA 2** was withdrawn, rendering the point of order moot.

At the request of Senator Koenig, **HCB 3**, with **SA 2** (pending), was placed on the Informal Calendar.

Senator Onder assumed the Chair.

REFERRALS

President Pro Tem Richard referred **HB 1045**, **HB 289**, with **SCS**, and **SS** for **SCS** for **SB 49** to the Committee on Fiscal Oversight.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 849**, entitled:

An Act to repeal sections 50.740 and 105.145, RSMo, and to enact in lieu thereof two new sections relating to the reporting of financial transactions, with a penalty provision.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 330**, entitled:

An Act to repeal section 334.036, RSMo, and to enact in lieu thereof one new section relating to assistant physicians, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1158**, entitled:

An Act to repeal sections 21.771, 210.110, and 210.152, RSMo, and to enact in lieu thereof three new sections relating to child abuse, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 762, regarding Timothy G. Peters, Warrenton, which was adopted.

Senator Riddle offered Senate Resolution No. 763, regarding Betty O'Neal, Fulton, which was adopted.

Senator Riddle offered Senate Resolution No. 764, regarding Barbara Fisher, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 765, regarding Betty W. Creech, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 766, regarding Jacqueline Thomas, Madison, which was adopted.

COMMUNICATIONS

Senator Silvey submitted the following:

April 1, 2017

Ms. Adriane Crouse

Secretary of the Senate

State Capitol, Room 325

201 W. Capitol Avenue

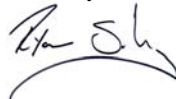
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 45, I respectfully request that House Bill 1045 be removed from the consent calendar.

Thank you for your consideration of my request.

Sincerely,



Senator Ryan Silvey
District 17

INTRODUCTION OF GUESTS

Senator Hegeman introduced to the Senate, Basketball Coach Ben McCollum; Football Coach Rich Wright; and D’Vante Mosby, Anthony Woods, Zach Schneider, Cass Weigl and Collin Bevins, members of the 2016-2017 NCAA Division II State Champion Northwest Missouri State University basketball and football teams.

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, April 19, 2017.

SENATE CALENDAR

FIFTY-SIXTH DAY—WEDNESDAY, APRIL 19, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 433
HB 598-Cornejo
HCS for HB 656
HCS for HB 698
HCS for HB 17
HCS for HB 18
HCS for HB 19
HCB 4-Lauer
HCB 5-Lauer
HCS for HB 118
HB 227-Hubrecht

HCS for HB 694
HB 121-Frederick
HB 209-Wiemann
HCS for HB 334
HCS for HB 159
HCS for HB 741
HCS for HB 729
HCS for HB 935
HB 849-Pfautsch
HCS for HB 330
HCS for HB 1158

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 313-Koenig
(In Fiscal Oversight)

SS for SCS for SB 49-Walsh (In Fiscal Oversight)
SS for SB 490-Schupp

SENATE BILLS FOR PERFECTION

- | | |
|-----------------------------|----------------------------------|
| 1. SB 495-Riddle, with SCS | 9. SB 480-Kraus |
| 2. SB 532-Hoskins | 10. SB 407-Riddle, with SCS |
| 3. SB 518-Emery | 11. SB 353-Wallingford, with SCS |
| 4. SB 341-Nasheed, with SCS | 12. SB 380-Riddle |
| 5. SJR 5-Emery, with SCS | 13. SB 297-Hummel, with SCS |
| 6. SB 305-Kehoe, et al | 14. SB 474-Schatz |
| 7. SB 535-Wallingford | 15. SB 483-Holsman |
| 8. SB 523-Sater, with SCS | 16. SB 498-Nasheed |

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HB 288-Fitzpatrick (Kehoe) | 17. HB 758-Cookson, with SCS (Romine) |
| 2. HCS for HB 151 (Silvey)
(In Fiscal Oversight) | 18. HCS for HB 138, with SCS (Onder) |
| 3. HB 850-Davis (Kraus) | 19. HCS for HB 441 (Rowden) |
| 4. HCS for HB 452 (Rowden) | 20. HCS for HB 253, with SCS (Romine) |
| 5. HCS for HB 831, with SCS (In Fiscal
Oversight) | 21. HB 94-Lauer (Romine) |
| 6. HCS for HB 381, with SCS (Hegeman) | 22. HB 248-Fitzwater, with SCS
(Cunningham) (In Fiscal Oversight) |
| 7. HB 58-Haefner (Onder) | 23. HB 289-Fitzpatrick, with SCS
(Rowden) (In Fiscal Oversight) |
| 8. HB 175-Reiboldt, with SCS (Munzlinger) | 24. HB 493-Bondon, with SCS (Silvey) |
| 9. HB 327-Morris (Curls) (In Fiscal
Oversight) | 25. HB 52-Andrews (Hegeman) |
| 10. HB 680-Fitzwater, with SCS (Wasson) | 26. HCS for HB 647, with SCS (Sater) |
| 11. HCS for HB 57-Haefner, with SCS
(Libla) (In Fiscal Oversight) | 27. HCS for HB 353, with SCS |
| 12. HCS for HB 422 (Dixon) | 28. HCS for HB 54, with SCS (Emery) |
| 13. HB 245-Rowland, with SCS
(Cunningham) (In Fiscal Oversight) | 29. HB 355-Bahr (Eigel) |
| 14. HB 262-Sommer (Hoskins) | 30. HCS for HB 122, with SCS (Onder) |
| 15. HCS for HB 270 (Rowden) | 31. HCS for HB 230, with SCS (Koenig) |
| 16. HCS for HB 661, with SCS (Emery)
(In Fiscal Oversight) | 32. HB 700-Cookson, with SCS (Libla) |
| | 33. HB 1045-Haahr (Wasson)
(In Fiscal Oversight) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|------------------------|-------------|
| SB 5-Richard | SB 13-Dixon |
| SB 6-Richard, with SCS | SB 20-Brown |

SB 21-Brown	SB 177-Dixon, with SCS
SB 28-Sater, with SCS (pending)	SB 178-Dixon
SB 32-Emery, with SCS	SB 180-Nasheed, with SCS
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 183-Hoskins, with SCS
SB 41-Wallingford and Emery, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 184-Emery, with SS (pending)
SBs 44 & 63-Romine, with SCS	SB 185-Onder, et al, with SCS
SB 46-Libla, with SCS	SB 188-Munzlinger, with SCS
SB 61-Hegeman, with SCS	SB 189-Kehoe, with SCS
SB 67-Onder, et al, with SS, SA 1 & SSA 1 for SA 1 (pending)	SB 190-Emery, with SCS & SS#2 for SCS (pending)
SB 68-Onder and Nasheed	SB 196-Koenig
SB 76-Munzlinger	SB 199-Wasson
SB 80-Wasson, with SCS	SB 200-Libla
SB 81-Dixon	SB 201-Onder, with SCS
SB 83-Dixon	SB 203-Sifton, with SCS
SB 85-Kraus, with SCS	SB 207-Sifton
SB 96-Sater and Emery	SB 209-Wallingford
SB 97-Sater, with SCS	SB 210-Onder, with SCS
SB 102-Cunningham, with SCS	SB 220-Riddle, with SCS & SS for SCS (pending)
SB 103-Wallingford	SB 221-Riddle
SB 109-Holsman, with SCS	SB 223-Schatz, with SCS
SB 115-Schupp, with SCS	SB 227-Koenig, with SCS
SB 117-Schupp, with SCS	SB 228-Koenig, with SS & SA 1 (pending)
SB 122-Munzlinger, with SCS	SB 230-Riddle
SB 123-Munzlinger	SB 232-Schatz
SB 126-Wasson	SB 233-Wallingford
SB 129-Dixon and Sifton, with SCS	SB 234-Libla, with SCS
SB 130-Kraus, with SCS	SB 239-Rowden, with SCS
SB 133-Chappelle-Nadal	SB 242-Emery, with SCS
SB 138-Sater	SB 243-Hegeman
SB 141-Emery	SB 247-Kraus, with SCS
SB 142-Emery	SB 250-Kehoe
SB 144-Wallingford	SB 252-Dixon, with SCS
SB 145-Wallingford, with SCS	SB 258-Munzlinger
SB 147-Romine	SB 259-Munzlinger
SB 156-Munzlinger, with SCS	SB 260-Munzlinger
SB 157-Dixon, with SCS	SB 261-Munzlinger
SB 158-Dixon	SB 262-Munzlinger
SB 163-Romine	SB 263-Riddle
SB 169-Dixon, with SCS	SB 264-Dixon
SB 171-Dixon and Sifton, with SCS	SB 267-Schatz, with SCS
SB 176-Dixon	SB 271-Wasson and Richard, with SCS
	SB 280-Hoskins, with SCS

SB 284-Hegeman, with SCS	SB 389-Sater, with SCS
SBs 285 & 17-Koenig, with SCS	SB 391-Munzlinger
SB 286-Rizzo	SB 392-Holsman
SB 290-Schatz, with SCS	SB 406-Wasson and Sater
SB 295-Schaaf, with SCS	SB 409-Koenig
SB 298-Curls	SB 410-Schatz
SB 303-Wieland, with SCS	SB 413-Munzlinger
SB 311-Wasson, with SCS	SB 418-Hegeman, with SCS
SBs 314 & 340-Schatz, et al, with SCS	SB 419-Riddle
SB 316-Rowden, with SCS	SB 422-Cunningham, with SCS
SB 325-Kraus	SB 426-Wasson, with SCS
SBs 327, 238 & 360-Romine, with SCS	SB 427-Wasson
SB 328-Romine, with SCS & SA 3 (pending)	SB 430-Cunningham, with SCS
SB 330-Munzlinger	SB 433-Sater, with SCS
SB 331-Hegeman	SB 435-Cunningham, with SCS
SB 333-Schaaf, with SCS	SB 442-Hegeman
SB 336-Wieland	SB 445-Rowden
SB 348-Wasson, with SA 1 (pending)	SB 448-Emery
SB 349-Wasson	SB 451-Nasheed, with SS (pending)
SB 358-Wieland	SB 468-Hegeman
SB 362-Hummel	SB 469-Schatz
SB 368-Rowden	SB 475-Schatz
SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)	SB 485-Hoskins
SB 378-Wallingford	SB 517-Wasson
SB 379-Schatz	SB 526-Brown
SB 381-Riddle	SJR 9-Romine, with SCS
SB 383-Eigel and Wieland	SJR 11-Hegeman, with SCS
SB 384-Rowden, with SCS	SJR 12-Eigel
	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 34-Plocher (Dixon)	HCS for HBs 190 & 208 (Eigel)
HB 35-Plocher (Dixon)	HB 207-Fitzwater (Romine)
HB 51-Andrews, with SCS (Hegeman)	HB 251-Taylor, with SCS, SS for SCS, SA 2 & SA 3 to SA 2 (pending) (Onder)
HCS for HB 66, with SCS (Sater)	HCS for HB 292, with SCS (Cunningham)
HB 85-Redmon, with SCS (Hegeman)	HCS for HBs 302 & 228, with SCS (Schatz)
HCS for HBs 91, 42, 131, 265 & 314 (Brown)	HB 336-Shull (Rowden)
HB 93-Lauer, with SCS (Wasson)	HCS for HBs 337, 259 & 575 (Schatz)
HB 95-McGaugh (Emery)	HCS for HBs 339 & 714, with SCS (Rowden)
HB 104-Love (Brown)	HCS for HB 427, with SCS (Kehoe)
HCS for HB 115, with SCS (Wasson)	HCS for HB 451 (Wasson)

HCS for HB 460 (Munzlinger)
HB 461-Kolkmeyer (Munzlinger)
HB 462-Kolkmeyer (Munzlinger)
HB 655-Engler (Dixon) (In Fiscal Oversight)

HCS for HBs 1194 & 1193 (Hegeman)
HCB 3-Fitzpatrick, with SA 2 (pending)
(Koenig)

CONSENT CALENDAR

House Bills

Reported 4/13

HB 871-Davis, with SCS (Kraus)
HCS for HB 304, with SCS
HB 909-Fraker (Wasson)
HCS for HB 631, with SCS (Emery)
HCS for HB 703 (Hegeman)
HB 843-McGaugh, with SCS (Hegeman)
HB 200-Fraker, with SCS
HCS for HB 199, with SCS
HB 956-Vescovo, with SCS (Rizzo)
HB 87-Henderson, with SCS (Romine)
HB 587-Redmon, with SCS (Hegeman)

HCS for HB 258, with SCS (Munzlinger)
HCS for HB 645 (Sater)
HCS for HB 183 (Nasheed)
HCS for HB 542 (Schatz)
HB 61-Alferman (Schatz)
HB 128, HB 678, HB 701 & HB 964-Davis,
with SCS (Richard)
HB 811-Ruth (Wieland)
HB 805-Basye (Rowden)
HB 664-Korman (Riddle)

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate
recede or grant conference)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 18-Wallingford
HCS for HCR 19 (Kehoe)

HCR 28-Rowland (Rowden)

To be Referred

SCR 26-Kehoe

HCR 35-Hurst

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SIXTH DAY—WEDNESDAY, APRIL 19, 2017

The Senate met pursuant to adjournment.

Senator Onder in the Chair.

Reverend Carl Gauck offered the following prayer:

“For we are God’s servants, working together; you are God’s field, God’s builders.”(I Corinthians 3:9)

Gracious God we give You thanks and praise for the honor You have shown us by making us Your co-workers, to cooperate with Your will for us, in our caring for our fellow citizens. We know, Lord, that by doing so we are doing the work You have for us, for You have given us eyes to see the needs of Your people and time in which to use wisely and productively. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—1

COMMUNICATIONS

Senator Schaaf submitted the following, which was read:

April 19, 2017

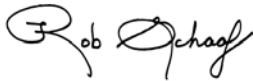
Adriane Crouse
Secretary of the Senate
State Capitol, Rm. 325
201 W. Capitol Avenue
Jefferson City, MO 65101

Dear Madam Secretary:

Pursuant to Rule 45, I respectfully request that the following consent bills be removed from the consent calendar:

HB 871, HCS HB 304, HB 909, HCS HB 631, HCS HB 703, HB 843, HB 200, HCS HB 199, HB 956, HB 87, HB 587, HCS HB 258, HCS HB 645, HCS HB 183, HCS HB 542, HB 61, HB 128, HB 678, HB 701, HB 964, HB 811, HB 805, HB 664

Sincerely,



Rob Schaaf

RESOLUTIONS

Senator Hoskins offered Senate Resolution No. 767, regarding Brooks Allen Hotmer, Odessa, which was adopted.

Senator Hoskins offered Senate Resolution No. 768, regarding Alice Jarman, Higginsville, which was adopted.

Senator Hoskins offered Senate Resolution No. 769, regarding F.R. Bailey, Chillicothe, which was adopted.

Senator Hoskins offered Senate Resolution No. 770, regarding Virginia Campbell, Warrensburg, which was adopted.

Senator Onder offered Senate Resolution No. 771, regarding Haley Schaefer, St. Charles, which was adopted.

Senator Onder offered Senate Resolution No. 772, regarding Wentzville Christian Church, which was adopted.

Senator Onder offered Senate Resolution No. 773, regarding Penny Henke, which was adopted.

Senator Onder offered Senate Resolution No. 774, regarding Archie Lee Rippetto, O'Fallon, which was adopted.

Senator Onder offered Senate Resolution No. 775, regarding Carolyn Foushee, Wentzville, which was adopted.

Senator Onder offered Senate Resolution No. 776, regarding Clifford Lee "Cliff" Turner, O'Fallon, which was adopted.

Senator Rizzo offered Senate Resolution No. 777, regarding Ellen Yankiver Suni, which was adopted.

Senator Emery offered Senate Resolution No. 778, regarding Sara Gammon, Drexel, which was adopted.

Senator Curls offered Senate Resolution No. 779, regarding the Fiftieth Wedding Anniversary of George and Mary Ann DeMyers, Charleston, which was adopted.

Senator Onder offered Senate Resolution No. 780, regarding Lawson Kindria Daria Dyson, O’Fallon, which was adopted.

Senator Brown offered Senate Resolution No. 781, regarding Bob May, Rolla, which was adopted.

Senator Brown offered Senate Resolution No. 782, regarding Robin Pirtle, St. Robert, which was adopted.

Senator Cunningham requested unanimous consent of the Senate that **HB 655** be returned by the Committee on Fiscal Oversight as it was inadvertently referred to such committee, which request was granted.

HOUSE BILLS ON THIRD READING

HB 34, introduced by Representative Plocher, entitled:

An Act to repeal sections 400.1-101, 400.1-102, 400.1-103, 400.1-105, 400.1-106, 400.1-107, 400.1-108, 400.1-201, 400.1-202, 400.1-203, 400.1-204, 400.1-205, 400.1-206, 400.1-207, 400.1-208, 400.7-102, 400.7-103, 400.7-104, 400.7-105, 400.7-201, 400.7-202, 400.7-203, 400.7-204, 400.7-205, 400.7-206, 400.7-207, 400.7-208, 400.7-209, 400.7-210, 400.7-301, 400.7-302, 400.7-303, 400.7-304, 400.7-305, 400.7-307, 400.7-308, 400.7-309, 400.7-401, 400.7-402, 400.7-403, 400.7-404, 400.7-501, 400.7-502, 400.7-503, 400.7-504, 400.7-505, 400.7-506, 400.7-507, 400.7-508, 400.7-509, 400.7-601, 400.7-602, 400.7-603, and 400.7-604, RSMo, and to enact in lieu thereof sixty-four new sections relating to the uniform commercial code.

Was taken up by Senator Dixon.

Senator Schaaf moved that debate on the question under consideration be postponed until tomorrow.

Senator Richard requested the motion be reduced to writing.

The motion made by Senator Schaaf was submitted in writing and read.

At the request of Senator Schaaf, the above motion was withdrawn.

On motion of Senator Dixon, **HB 34** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senator Hegeman—1

Absent with leave—Senator Sater—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 51, introduced by Representative Andrews, with **SCS**, entitled:

An Act to repeal section 214.160, RSMo, and to enact in lieu thereof one new section relating to cemetery funds.

Was taken up by Senator Hegeman.

SCS for **HB 51**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 51

An Act to repeal section 214.160, RSMo, and to enact in lieu thereof one new section relating to cemetery funds.

Was taken up.

Senator Hegeman moved that **SCS** for **HB 51** be adopted, which motion prevailed.

On motion of Senator Hegeman, **SCS** for **HB 51** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senator Sater—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HBs 339 and 714, with SCS, entitled:

An Act to repeal section 537.065, RSMo, and to enact in lieu thereof two new sections relating to settlement of tort claims.

Was taken up by Senator Rowden.

SCS for HCS for HBs 339 and 714, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 339 and 714

An Act to repeal section 537.065, RSMo, and to enact in lieu thereof three new sections relating to tort claims for damages.

Was taken up.

Senator Rowden moved that **SCS for HCS for HBs 339 and 714** be adopted.

Senator Rowden offered **SS for SCS for HCS for HBs 339 and 714**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 339 and 714

An Act to repeal section 537.065, RSMo, and to enact in lieu thereof two new sections relating to the settlement of tort claims.

Senator Rowden moved that **SS for SCS for HCS for HBs 339 and 714** be adopted.

Senator Kehoe assumed the Chair.

Senator Onder assumed the Chair.

Senator Sifton offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 339 & 714, Page 5, Section 537.065, Lines 14-17, by striking all of said lines.

Senator Sifton moved that the above amendment be adopted.

At the request of Senator Sifton, **SA 1** was withdrawn.

Senator Sifton offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 339 and 714, Page 3, Section 537.058, Line 6, by inserting after the word “obtain” the following: “**such**”; and further amend line 10 by inserting after the word “obtain” the following: “**such**”; and

Further amend said bill, page 5, section 537.065, line 15 by striking the comma “,” and inserting in lieu thereof the following: “**or**”; and further amend line 16 by striking the words “, or other similar contract”; and further amend line 17 by inserting after all of said line the following:

“4. Nothing in this section shall be construed to prohibit an insured from bringing a separate action asserting that the insurer acted in bad faith.”.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Rowden moved that **SS** for **SCS** for **HCS** for **HBs 339** and **714**, as amended, be adopted, which motion prevailed.

On motion of Senator Rowden, **SS** for **SCS** for **HCS** for **HBs 339** and **714**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Rowden	Schaaf	Schatz	Silvey	Wallingford	Wasson

Wieland—22

NAYS—Senators

Chappelle-Nadal	Holsman	Hummel	Nasheed	Rizzo	Schupp	Sifton
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Walsh—8

Absent—Senators

Curls Kraus—2

Absent with leave—Senator Sater—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Rowden, title to the bill was agreed to.

Senator Rowden moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HCR 47**.

HOUSE CONCURRENT RESOLUTION NO. 47

WHEREAS, Missouri’s transportation system plays a vital part in the lives of Missouri’s citizens. It is counted on to safely and reliably connect people with family, jobs and services, businesses with suppliers and customers, students with schools, and visitors with destinations; and

WHEREAS, among the states, Missouri has been a leader in transportation; the first interstate highway project in the United States to begin construction after the passage of the Federal-Aid Highway Act of 1956 was in Missouri; and

WHEREAS, there is a total of 33,884 miles of roadway within the state of Missouri, which makes the state highway system the nation’s seventh largest state highway system. Missouri also ranks sixth nationally in the number of bridges with 10,394. These numbers do not include the city and county system of roads and bridges, which includes an additional 97,000 miles of county roads and city streets, and nearly 14,000 bridges; and

WHEREAS, Missouri's transportation infrastructure is aging; and

WHEREAS, the primary sources of revenue provided to the Missouri Department of Transportation to manage the state transportation system are user fees: fuel taxes, registration and licensing fees, and motor vehicle sales taxes; and

WHEREAS, when compared to other states, Missouri ranks 47th in the nation in revenue per mile:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby create the 21st Century Missouri Transportation System Task Force; and

BE IT FURTHER RESOLVED that the mission of the task force shall be to:

- (1) Evaluate the condition of our state transportation system, including roads and bridges;
- (2) Evaluate current transportation funding in Missouri;
- (3) Evaluate whether current transportation funding in Missouri is sufficient to not only maintain the transportation system in its current state but also to ensure that it serves the transportation needs of Missouri's citizens as we move forward in the 21st century;
- (4) Make recommendations regarding the condition of the state transportation system; and
- (5) Make recommendations regarding transportation funding; and

BE IT FURTHER RESOLVED that the task force shall consist of the following members:

(1) Five members of the House of Representatives, with three members to be appointed by the Speaker of the House of Representatives, at least one of whom is a member of the Joint Committee on Transportation Oversight, and two members to be appointed by the Minority Leader of the House of Representatives, at least one of whom is a member of the Joint Committee on Transportation Oversight;

(2) Five members of the Senate, with three members to be appointed by the President Pro Tempore of the Senate, at least one of whom is a member of the Joint Committee on Transportation Oversight, and two members to be appointed by the Minority Leader of the Senate, at least one of whom is a member of the Joint Committee on Transportation Oversight;

(3) The Governor or his or her designee;

(4) The Director of the Department of Transportation or his or her designee;

(5) The Director of the Department of Economic Development or his or her designee;

(6) The Superintendent of the State Highway Patrol or his or her designee; and

(7) Nine Missouri residents or representatives from non-governmental organizations within Missouri, two of whom shall be appointed by the Speaker of the House of Representatives, one of whom shall be appointed by the Minority Leader of the House of Representatives, two of whom shall be appointed by the President Pro Tempore of the Senate, one of whom shall be appointed by the Minority Leader of the Senate, and three of whom shall be appointed by the Governor; and

BE IT FURTHER RESOLVED that the Speaker of the House of Representatives shall designate the chair of the task force and the President Pro Tempore of the Senate shall designate the vice chair of the task force; and

BE IT FURTHER RESOLVED that the staffs of House Research, Senate Research, and the Joint Committee on Legislative Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the task force, its members, and any staff assigned to the task force shall receive reimbursement for actual and necessary expenses incurred in attending meetings of the task force or any subcommittee thereof; and

BE IT FURTHER RESOLVED that the task force shall meet within two months from adoption of this resolution; and

BE IT FURTHER RESOLVED that the 21st Century Missouri Transportation System Task Force shall report a summary of its activities and any recommendations for legislation to the General Assembly by January 1, 2018; and

BE IT FURTHER RESOLVED that the task force is authorized to function during the legislative interim of both the first and second regular sessions of the Ninety-ninth General Assembly, as authorized by *State v. Atterbury*, 300 S.W.2d 806 (Mo. 1957); and

BE IT FURTHER RESOLVED that the task force shall terminate on January 1, 2019; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Governor, the Director of the Department of Transportation, the Director of the Department of Economic Development, and the Superintendent of the State Highway Patrol.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 9**.

HOUSE CONCURRENT RESOLUTION NO. 9

WHEREAS, the Joachim Creek runs through both Jefferson County and St. Francois County in Missouri; and

WHEREAS, the Joachim Creek has changed over the course of time and has begun to endanger the health, safety, and welfare of citizens by being prone to frequent flash flood events; and

WHEREAS, it is pertinent that action be taken in order to ensure that citizens located near Joachim Creek have safe housing and a safe environment to work, live, and raise their families; and

WHEREAS, citizens, government agencies, community groups, and businesses need to come together to provide solutions for those afflicted by the Joachim Creek frequent flash flood events; and

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby urge the City of DeSoto and Jefferson County to establish a Joachim Creek Joint Task Force in order to:

1. Establish an early warning system to alert citizens of the need to evacuate during a flash flood event;
2. Conduct a study to better identify areas that are truly affected by repeated flooding of the Joachim Creek, and to distribute such results to assist in long-term planning in the Jefferson County area;
3. Determine if an organized property buyout is possible for areas that are truly affected by repeated flooding of the Joachim Creek; and
4. Identify methods that allow the area to use such flooding as an economic development tool; and

BE IT FURTHER RESOLVED that the Task Force may include the following members:

1. Traysa Sauer, Committee Member, Concerned Citizens for Flood Relief;
2. Susan Liley, Committee Member, Concerned Citizens for Flood Relief;
3. Paula Arbuthnot, Committee Member, Concerned Citizens for Flood Relief;
4. Elaine Gannon, State Representative, Missouri House of Representatives, District 115;
5. Claire McCaskill, Senator, United States Senate, or her designee;
6. Roy Blunt, Senator, United States Senate, or his designee;
7. Jason Smith, Congressman, United States House of Representatives, Missouri's 8th District, or his designee;
8. Gary Romine, Senator, Missouri State Senate, District 3;
9. Ben Harris, State Representative, Missouri House of Representatives, District 118;
10. Ken Waller, County Executive, Jefferson County;
11. Warren Robinson, Director, Jefferson County Office of Emergency Management;
12. Eric Larson, Director, Code Enforcement Division, Jefferson County;
13. David Dews, City Manager, City of DeSoto;
14. A representative from the Army Corps of Engineers;
15. A representative from the Missouri State Emergency Management Agency;
16. A representative from the Federal Emergency Management Agency; and
17. A representative from the Jefferson County Office of Economic Development; and

BE IT FURTHER RESOLVED that the Task Force may elect a chairperson and other officeholders from within its membership, and may add members to the Task Force by a majority vote; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Jefferson County Executive Ken Waller, Senator Claire McCaskill, Senator Roy Blunt, Congressman Jason Smith, the Director of the Missouri State Emergency Management Agency, the Administrator of the Federal Emergency Management Agency, and the Commanding General of the United States Army Corps of Engineers.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 144**, entitled:

An Act to repeal sections 191.227 and 193.245, RSMo, and to enact in lieu thereof twelve new sections relating to decisions regarding health care and health care records.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 783, regarding the Civil Air Patrol, which was adopted.

Senator Nasheed offered Senate Resolution No. 784, regarding the Basilica of Saint Louis, King of France, which was adopted.

Senator Nasheed offered Senate Resolution No. 785, regarding Jaime Torres, Lieutenant Colonel, United States Air Force (Ret.), St. Louis, which was adopted.

INTRODUCTION OF GUESTS

Senator Walsh introduced to the Senate, teacher Brian Geldmacher, Carlton Pierson, and twenty-one seventh grade students from Salem Lutheran School, Florissant; and Whitney White, Jalen Stovall, Cierra Mondaine and Christopher Brooks were made honorary pages.

Senator Romine introduced to the Senate, Duane Price, III, Independence; and Connor Staponski, Lee's Summit.

Senator Hoskins introduced to the Senate, Edie Jean Bauer and Emerson Williams; and Edie and Emerson were made honorary pages.

On motion of Senator Kehoe, the Senate adjourned until 8:30 a.m., Thursday, April 20, 2017.

SENATE CALENDAR

FIFTY-SEVENTH DAY—THURSDAY, APRIL 20, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 433
HB 598-Cornejo
HCS for HB 656
HCS for HB 698
HCS for HB 17
HCS for HB 18
HCS for HB 19
HCB 4-Lauer
HCB 5-Lauer

HCS for HB 118
HB 227-Hubrecht
HCS for HB 694
HB 121-Frederick
HB 209-Wiemann
HCS for HB 334
HCS for HB 159
HCS for HB 741
HCS for HB 729

HCS for HB 935
 HB 849-Pfautsch
 HCS for HB 330

HCS for HB 1158
 HCS for HB 144

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 313-Koenig
 (In Fiscal Oversight)

SS for SCS for SB 49-Walsh (In Fiscal Oversight)
 SS for SB 490-Schupp

SENATE BILLS FOR PERFECTION

1. SB 495-Riddle, with SCS
2. SB 532-Hoskins
3. SB 518-Emery
4. SB 341-Nasheed, with SCS
5. SJR 5-Emery, with SCS
6. SB 305-Kehoe, et al
7. SB 535-Wallingford
8. SB 523-Sater, with SCS

9. SB 480-Kraus
10. SB 407-Riddle, with SCS
11. SB 353-Wallingford, with SCS
12. SB 380-Riddle
13. SB 297-Hummel, with SCS
14. SB 474-Schatz
15. SB 483-Holsman
16. SB 498-Nasheed

HOUSE BILLS ON THIRD READING

1. HB 288-Fitzpatrick (Kehoe)
2. HCS for HB 151 (Silvey)
 (In Fiscal Oversight)
3. HB 850-Davis (Kraus)
4. HCS for HB 452 (Rowden)
5. HCS for HB 831, with SCS
 (In Fiscal Oversight) (Hummel)
6. HCS for HB 381, with SCS (Hegeman)
7. HB 58-Haefner (Onder)
8. HB 175-Reiboldt, with SCS (Munzlinger)
9. HB 327-Morris (Curls)
 (In Fiscal Oversight)
10. HB 680-Fitzwater, with SCS (Wasson)
11. HCS for HB 57-Haefner, with SCS
 (Libla) (In Fiscal Oversight)
12. HCS for HB 422 (Dixon)

13. HB 245-Rowland, with SCS
 (Cunningham) (In Fiscal Oversight)
14. HB 262-Sommer (Hoskins)
15. HCS for HB 270 (Rowden)
16. HCS for HB 661, with SCS (Emery)
 (In Fiscal Oversight)
17. HB 758-Cookson, with SCS (Romine)
18. HCS for HB 138, with SCS (Onder)
19. HCS for HB 441 (Rowden)
20. HCS for HB 253, with SCS (Romine)
21. HB 94-Lauer (Romine)
22. HB 248-Fitzwater, with SCS
 (Cunningham) (In Fiscal Oversight)
23. HB 289-Fitzpatrick, with SCS
 (Rowden) (In Fiscal Oversight)
24. HB 493-Bondon, with SCS (Silvey)

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|--------------------------------------|---------------------------------------|
| 25. HB 52-Andrews (Hegeman) | 30. HCS for HB 122, with SCS (Onder) |
| 26. HCS for HB 647, with SCS (Sater) | 31. HCS for HB 230, with SCS (Koenig) |
| 27. HCS for HB 353, with SCS (Sater) | 32. HB 700-Cookson, with SCS (Libla) |
| 28. HCS for HB 54, with SCS (Emery) | 33. HB 1045-Haahr (Wasson) |
| 29. HB 355-Bahr (Eigel) | (In Fiscal Oversight) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|--|
| SB 5-Richard | SB 126-Wasson |
| SB 6-Richard, with SCS | SB 129-Dixon and Sifton, with SCS |
| SB 13-Dixon | SB 130-Kraus, with SCS |
| SB 20-Brown | SB 133-Chappelle-Nadal |
| SB 21-Brown | SB 138-Sater |
| SB 28-Sater, with SCS (pending) | SB 141-Emery |
| SB 32-Emery, with SCS | SB 142-Emery |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | SB 144-Wallingford |
| SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending) | SB 145-Wallingford, with SCS |
| SBs 44 & 63-Romine, with SCS | SB 147-Romine |
| SB 46-Libla, with SCS | SB 156-Munzlinger, with SCS |
| SB 61-Hegeman, with SCS | SB 157-Dixon, with SCS |
| SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending) | SB 158-Dixon |
| SB 68-Onder and Nasheed | SB 163-Romine |
| SB 76-Munzlinger | SB 169-Dixon, with SCS |
| SB 80-Wasson, with SCS | SB 171-Dixon and Sifton, with SCS |
| SB 81-Dixon | SB 176-Dixon |
| SB 83-Dixon | SB 177-Dixon, with SCS |
| SB 85-Kraus, with SCS | SB 178-Dixon |
| SB 96-Sater and Emery | SB 180-Nasheed, with SCS |
| SB 97-Sater, with SCS | SB 183-Hoskins, with SCS |
| SB 102-Cunningham, with SCS | SB 184-Emery, with SS (pending) |
| SB 103-Wallingford | SB 185-Onder, et al, with SCS |
| SB 109-Holsman, with SCS | SB 188-Munzlinger, with SCS |
| SB 115-Schupp, with SCS | SB 189-Kehoe, with SCS |
| SB 117-Schupp, with SCS | SB 190-Emery, with SCS & SS#2 for SCS
(pending) |
| SB 122-Munzlinger, with SCS | SB 196-Koenig |
| SB 123-Munzlinger | SB 199-Wasson |
| | SB 200-Libla |
| | SB 201-Onder, with SCS |

SB 203-Sifton, with SCS	SBs 327, 238 & 360-Romine, with SCS
SB 207-Sifton	SB 328-Romine, with SCS & SA 3 (pending)
SB 209-Wallingford	SB 330-Munzlinger
SB 210-Onder, with SCS	SB 331-Hegeman
SB 220-Riddle, with SCS & SS for SCS (pending)	SB 333-Schaaf, with SCS
SB 221-Riddle	SB 336-Wieland
SB 223-Schatz, with SCS	SB 348-Wasson, with SA 1 (pending)
SB 227-Koenig, with SCS	SB 349-Wasson
SB 228-Koenig, with SS & SA 1 (pending)	SB 358-Wieland
SB 230-Riddle	SB 362-Hummel
SB 232-Schatz	SB 368-Rowden
SB 233-Wallingford	SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)
SB 234-Libla, with SCS	SB 378-Wallingford
SB 239-Rowden, with SCS	SB 379-Schatz
SB 242-Emery, with SCS	SB 381-Riddle
SB 243-Hegeman	SB 383-Eigel and Wieland
SB 247-Kraus, with SCS	SB 384-Rowden, with SCS
SB 250-Kehoe	SB 389-Sater, with SCS
SB 252-Dixon, with SCS	SB 391-Munzlinger
SB 258-Munzlinger	SB 392-Holsman
SB 259-Munzlinger	SB 406-Wasson and Sater
SB 260-Munzlinger	SB 409-Koenig
SB 261-Munzlinger	SB 410-Schatz
SB 262-Munzlinger	SB 413-Munzlinger
SB 263-Riddle	SB 418-Hegeman, with SCS
SB 264-Dixon	SB 419-Riddle
SB 267-Schatz, with SCS	SB 422-Cunningham, with SCS
SB 271-Wasson and Richard, with SCS	SB 426-Wasson, with SCS
SB 280-Hoskins, with SCS	SB 427-Wasson
SB 284-Hegeman, with SCS	SB 430-Cunningham, with SCS
SBs 285 & 17-Koenig, with SCS	SB 433-Sater, with SCS
SB 286-Rizzo	SB 435-Cunningham, with SCS
SB 290-Schatz, with SCS	SB 442-Hegeman
SB 295-Schaaf, with SCS	SB 445-Rowden
SB 298-Curls	SB 448-Emery
SB 303-Wieland, with SCS	SB 451-Nasheed, with SS (pending)
SB 311-Wasson, with SCS	SB 468-Hegeman
SBs 314 & 340-Schatz, et al, with SCS	SB 469-Schatz
SB 316-Rowden, with SCS	SB 475-Schatz
SB 325-Kraus	SB 485-Hoskins

SB 517-Wasson
SB 526-Brown
SJR 9-Romine, with SCS

SJR 11-Hegeman, with SCS
SJR 12-Eigel
SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)
HCS for HB 66, with SCS (Sater)
HB 85-Redmon, with SCS (Hegeman)
HCS for HBs 91, 42, 131, 265 & 314
(Brown)
HB 93-Lauer, with SCS (Wasson)
HB 95-McGaugh (Emery)
HB 104-Love (Brown)
HCS for HB 115, with SCS (Wasson)
HCS for HBs 190 & 208 (Eigel)
HB 207-Fitzwater (Romine)
HB 251-Taylor, with SCS, SS for SCS,
SA 2 & SA 3 to SA 2 (pending) (Onder)

HCS for HB 292, with SCS (Cunningham)
HCS for HBs 302 & 228, with SCS (Schatz)
HB 336-Shull (Rowden)
HCS for HBs 337, 259 & 575 (Schatz)
HCS for HB 427, with SCS (Kehoe)
HCS for HB 451 (Wasson)
HCS for HB 460 (Munzlinger)
HB 461-Kolkmeyer (Munzlinger)
HB 462-Kolkmeyer (Munzlinger)
HB 655-Engler (Dixon)
HCS for HBs 1194 & 1193 (Hegeman)
HCB 3-Fitzpatrick, with SA 2 (pending)
(Koenig)

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate
recede or grant conference)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 18-Wallingford
HCS for HCR 19 (Kehoe)

HCR 28-Rowland (Rowden)

To be Referred

SCR 26-Kehoe
HCR 9-Gannon

HCR 35-Hurst
HCS for HCR 47

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-SEVENTH DAY—THURSDAY, APRIL 20, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

But as for you, return to your God, hold fast to love and justice, and wait continually for your God.” (Hosea 12:6)

Lord God Almighty, in our daily effort and seeking to be what You would have us be, we sometimes forget all the good that You provide us from Your gracious hand. Make us confident in Your promise and move us to pursue Your enduring justice and love for all Your people. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KOMU-8 were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 786, regarding Juan M. Castro, MD, Saint Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 787, regarding the Missouri Monument in the Vicksburg National Military Park, which was adopted.

Senator Schupp offered Senate Resolution No. 788, regarding Horatio “Ray” Potter, Ladue, which was adopted.

Senator Schupp offered Senate Resolution No. 789, regarding Jeannine Stuart, Creve Coeur, which was adopted.

Senator Schupp offered Senate Resolution No. 790, regarding Will S. Bolden, Olivette, which was adopted.

Senator Brown offered Senate Resolution No. 791, regarding the Fiftieth Wedding Anniversary of Walter and Mary Swearingen, Sunrise Beach, which was adopted.

Senator Sifton offered Senate Resolution No. 792, regarding Haley Elizabeth Crawford, Saint Louis, which was adopted.

Senator Emery offered Senate Resolution No. 793, regarding Carol Branham, Nevada, which was adopted.

Senator Cunningham offered Senate Resolution No. 794, regarding Cathern Long, Hartville, which was adopted.

Senator Sater offered Senate Resolution No. 795, regarding James C. “Jim” Holt, Reeds Spring, which was adopted.

Senator Sater offered Senate Resolution No. 796, regarding Ron Clark, Shell Knob, which was adopted.

Senator Sater offered Senate Resolution No. 797, regarding Jane M. Lant, Pineville, which was adopted.

Senator Sater offered Senate Resolution No. 798, regarding James Leon Combs, Bradleyville, which was adopted.

Senator Sater offered Senate Resolution No. 799, regarding Pat Carver, Pierce City, which was adopted.

Senator Dixon offered Senate Resolution No. 800, regarding Mary “Katie” Groves, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 801, regarding Eagle Scout Shane Alexander Skaff, Springfield, which was adopted.

Senator Hoskins offered Senate Resolution No. 802, regarding Gladys Collins, Richmond, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

The Senate observed a moment of silence for the two St. Louis Laclede Gas workers who lost their lives. President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 909**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HCS** for **HB 631**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Walsh, Chairman of the Committee on Progress and Development, submitted the following reports:

Mr. President: Your Committee on Progress and Development, to which was referred **HCS** for **HB 348**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HJR 10**, begs leave to report that it has considered the same and recommends that the joint resolution do pass.

Also,

Mr. President: Your Committee on Progress and Development, to which was referred **HCS No. 2** for **HB 502**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schaaf, Chairman of the Committee on Health and Pensions, submitted the following report:

Mr. President: Your Committee on Health and Pensions, to which was referred **HCS** for **HB 304**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wallingford, Chairman of the Committee on Veterans and Military Affairs, submitted the following report:

Mr. President: Your Committee on Veterans and Military Affairs, to which was referred **HB 871**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 843**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 200**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS for HB 703**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 956**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HCS for HB 199**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 87**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following report:

Mr. President: Your Committee on Insurance and Banking, to which was referred **HB 587**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **HCS for HB 258**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **HB 349**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **HCS for HB 316**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute,

hereto attached, do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 558**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 586**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 256**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS for HB 645**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS for HB 183**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS for HB 542**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 61**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 128, HB 678, HB 701 and HB 964**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 811**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 805**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 664**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

REFERRALS

President Pro Tem Richard referred **SCR 26**, **HCR 9**, **HCR 35** and **HCS** for **HCR 47** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

HOUSE BILLS ON THIRD READING

HCS for **HBs 302** and **228**, with **SCS**, entitled:

An Act to amend chapter 650, RSMo, by adding thereto two new sections relating to law enforcement officers, with a penalty provision.

Was taken up by Senator Schatz.

SCS for **HCS** for **HBs 302** and **228**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILLS NOS. 302 and 228

An Act to amend chapter 650, RSMo, by adding thereto one new section relating to law enforcement officers, with a penalty provision.

Was taken up.

Senator Schatz moved that **SCS** for **HCS** for **HBs 302** and **228** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 & 228, Page 1, In the Title, Lines 2-3 of the title, by striking “law enforcement officers” and inserting in lieu thereof the following: “emergency responders”; and

Further amend said bill and page, Section A, Line 2, by inserting after all of said line the following:

“190.103. 1. One physician with expertise in emergency medical services from each of the EMS regions shall be elected by that region’s EMS medical directors to serve as a regional EMS medical director. The regional EMS medical directors shall constitute the state EMS medical director’s advisory committee and shall advise the department and their region’s ambulance services on matters relating to medical control and medical direction in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The regional EMS medical director shall serve a term of four years.

The southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an initial two-year term. The central, east central, and southeast regional EMS medical directors shall be elected to an initial four-year term. All subsequent terms following the initial terms shall be four years.

2. A medical director is required for all ambulance services and emergency medical response agencies that provide: advanced life support services; basic life support services utilizing medications or providing assistance with patients' medications; or basic life support services performing invasive procedures including invasive airway procedures. The medical director shall provide medical direction to these services and agencies in these instances.

3. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall have the responsibility and the authority to ensure that the personnel working under their supervision are able to provide care meeting established standards of care with consideration for state and national standards as well as local area needs and resources. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall establish and develop triage, treatment and transport protocols, which may include authorization for standing orders.

4. All ambulance services and emergency medical response agencies that are required to have a medical director shall establish an agreement between the service or agency and their medical director. The agreement will include the roles, responsibilities and authority of the medical director beyond what is granted in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall also include grievance procedures regarding the emergency medical response agency or ambulance service, personnel and the medical director.

5. Regional EMS medical directors elected as provided under subsection 1 of this section shall be considered public officials for purposes of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.

6. The state EMS medical director's advisory committee shall be considered a peer review committee under section 537.035 and regional EMS medical directors shall be eligible to participate in the Missouri Patient Safety Organization as provided under the Patient Safety and Quality Improvement Act of 2005, 42 U.S.C. Section 299, et seq., as amended.

7. Regional EMS medical directors may act to provide online telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including EMT-Bs, EMT-Is, or EMT-Ps community paramedics, are providing care to special needs patients or at the request of a local EMS agency or medical director.

8. When developing treatment protocols for special needs patients, regional EMS medical directors may promulgate such protocols on a regional basis across multiple political subdivisions' jurisdictional boundaries and such protocols may be used by multiple agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments.

9. Multiple EMS agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments shall take necessary steps to follow the regional EMS protocols established as provided under subsection 8 of this section in cases of mass casualty or

state-declared disaster incidents.

10. When regional EMS medical directors develop and implement treatment protocols for patients or provide online medical direction for such patients, such activity shall not be construed as having usurped local medical direction authority in any manner.

11. Notwithstanding any other provision of law, when regional EMS medical directors are providing either online telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics, or offline medical direction per standardized EMS treatment, triage, and transport protocols for patients, those medical directions or treatment protocols may include the administration of the patient's own prescription medications.

190.147. 1. Emergency medical technician paramedics (EMT-Ps) who have:

(1) Completed at least forty hours of the standard crisis intervention training course as endorsed and developed by the National Alliance on Mental Illness or a course of training that the ground or air ambulance service's medical director has determined to be academically equivalent thereto;

(2) Been authorized by their ground or air ambulance service's administration and medical director under subsection 3 of section 190.103; and

(3) Whose ground or air ambulance service has developed and adopted standardized triage, treatment, and transport protocols under subsection 3 of section 190.103, which address the challenge of treating and transporting behavioral health patients who present a likelihood of serious harm to themselves or others as the term "likelihood of serious harm" is defined under section 632.005 or who are significantly incapacitated by alcohol or drugs;

may make a good faith determination that such patients shall be placed into a temporary hold for the sole purposes of transport to the nearest appropriate facility.

2. EMT-Ps who have made a good faith decision for a temporary hold of a patient as authorized by this section shall no longer have to rely on the common law doctrine of implied consent and therefore shall not be civilly liable for a good faith determination made in accordance with this section and shall not have waived any sovereign immunity defense, official immunity defense, or Missouri public duty doctrine defense if employed at the time of the good faith determination by a governmental employer.

3. Any ground or air ambulance service that adopts the authority and protocols provided for by this section shall have a memorandum of understanding with applicable local law enforcement agencies in order to achieve a collaborative and coordinated response to patients displaying symptoms of either a likelihood of serious harm to themselves or others or significant incapacitation by alcohol or drugs, which require a crisis intervention response.

190.165. 1. The department may refuse to issue or deny renewal of any certificate, permit or license required pursuant to sections 190.100 to 190.245 for failure to comply with the provisions of sections 190.100 to 190.245 or any lawful regulations promulgated by the department to implement its provisions as described in subsection 2 of this section. The department shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate, permit or license required by sections 190.100 to 190.245 or any person who has failed to renew or has surrendered his or her certificate, permit or license for failure to comply with the provisions of sections 190.100 to 190.245 or any lawful regulations promulgated by the department to implement such sections. Those regulations shall be limited to the following:

(1) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any activity licensed or regulated by sections 190.100 to 190.245;

(2) Being finally adjudicated and found guilty, or having entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any activity licensed or regulated pursuant to sections 190.100 to 190.245, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate, permit or license issued pursuant to sections 190.100 to 190.245 or in obtaining permission to take any examination given or required pursuant to sections 190.100 to 190.245;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any activity licensed or regulated by sections 190.100 to 190.245;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 190.100 to 190.245, or of any lawful rule or regulation adopted by the department pursuant to sections 190.100 to 190.245;

(7) Impersonation of any person holding a certificate, permit or license or allowing any person to use his or her certificate, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any activity regulated by sections 190.100 to 190.245 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) For an individual being finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any activity licensed or regulated by sections 190.100 to 190.245 who is not licensed and currently eligible to practice pursuant to sections 190.100 to 190.245;

(11) Issuance of a certificate, permit or license based upon a material mistake of fact;

(12) Violation of any professional trust, confidence, or legally protected privacy rights of a patient by means of an unauthorized or unlawful disclosure;

(13) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(14) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(15) Refusal of any applicant or licensee to respond to reasonable department of health and senior services' requests for necessary information to process an application or to determine license status or license eligibility;

(16) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health or safety of a patient or the public;

(17) Repeated acts of negligence or recklessness in the performance of the functions or duties of any activity licensed or regulated by sections 190.100 to 190.245.

3. If the department conducts investigations, the department, prior to interviewing a licensee who is the subject of the investigation, shall explain to the licensee that he or she has the right to:

(1) Consult legal counsel or have legal counsel present;

(2) Have anyone present whom he or she deems to be necessary or desirable[, except for any holder of any certificate, permit, or license required by sections 190.100 to 190.245]; and

(3) Refuse to answer any question or refuse to provide or sign any written statement.

The assertion of any right listed in this subsection shall not be deemed by the department to be a failure to cooperate with any department investigation.

4. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the department may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the department deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate or permit. Notwithstanding any provision of law to the contrary, the department shall be authorized to impose a suspension or revocation as a disciplinary action only if it first files the requisite complaint with the administrative hearing commission. **The administrative hearing commission shall hear all relevant evidence on remediation activities of the licensee and shall make a recommendation to the department of health and senior services as to licensure disposition based on such evidence.**

5. An individual whose license has been revoked shall wait one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the department after compliance with all the requirements of sections 190.100 to 190.245 relative to the licensing of an applicant for the first time. Any individual whose license has been revoked twice within a ten-year period shall not be eligible for relicensure.

6. The department may notify the proper licensing authority of any other state in which the person whose license was suspended or revoked was also licensed of the suspension or revocation.

7. Any person, organization, association or corporation who reports or provides information to the department pursuant to the provisions of sections 190.100 to 190.245 and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

8. The department of health and senior services may suspend any certificate, permit or license required pursuant to sections 190.100 to 190.245 simultaneously with the filing of the complaint with the administrative hearing commission as set forth in subsection 2 of this section, if the department finds that there is an imminent threat to the public health. The notice of suspension shall include the basis of the suspension and notice of the right to appeal such suspension. The licensee may appeal the decision to suspend the license, certificate or permit to the department. The appeal shall be filed within ten days from the date of the filing of the complaint. A hearing shall be conducted by the department within ten days from the date the appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings, including review thereof, unless sooner withdrawn by the department, dissolved by a court of competent jurisdiction or stayed by the administrative hearing commission.”; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted.

Senator Schaaf moved that the debate on the adoption of **SCS** for **HCS** for **HBs 302** and **228** be postponed until 10:00 a.m., Friday, April 21, 2017.

Pursuant to Senate Rule 86, Senators Onder and Richard requested the privileged motion be submitted in writing.

At the request of Senator Schatz, **HCS** for **HBs 302** and **228**, with **SCS**, **SA 1** and motion to postpone debate to a day certain (pending), was placed on the Informal Calendar.

Senator Schaaf raised the point of order that because he had raised a privileged motion regarding **HBs 302** and **228**, with **SCS** and was speaking on that motion, he should retain the floor to continue to speak on it after the bill was placed on the Informal Calendar. The point of order was referred to the President Pro Tem who took it under advisement.

RESOLUTIONS

Senator Cunningham offered Senate Resolution No. 803, regarding Helen Sanders, which was adopted.

INTRODUCTION OF GUESTS

Senator Wasson introduced to the Senate, the Physician of the Day, Dr. Alexander Hover, Ozark.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, April 24, 2017.

SENATE CALENDAR

FIFTY-EIGHTH DAY—MONDAY, APRIL 24, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 433

HB 598-Cornejo

HCS for HB 656
 HCS for HB 698
 HCS for HB 17
 HCS for HB 18
 HCS for HB 19
 HCB 4-Lauer
 HCB 5-Lauer
 HCS for HB 118
 HB 227-Hubrecht
 HCS for HB 694
 HB 121-Frederick

HB 209-Wiemann
 HCS for HB 334
 HCS for HB 159
 HCS for HB 741
 HCS for HB 729
 HCS for HB 935
 HB 849-Pfautsch
 HCS for HB 330
 HCS for HB 1158
 HCS for HB 144

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 313-Koenig
 (In Fiscal Oversight)

SS for SB 490-Schupp

SS for SCS for SB 49-Walsh (In Fiscal Oversight)

SENATE BILLS FOR PERFECTION

1. SB 495-Riddle, with SCS
2. SB 532-Hoskins
3. SB 518-Emery
4. SB 341-Nasheed, with SCS
5. SJR 5-Emery, with SCS
6. SB 305-Kehoe, et al
7. SB 535-Wallingford
8. SB 523-Sater, with SCS

9. SB 480-Kraus
10. SB 407-Riddle, with SCS
11. SB 353-Wallingford, with SCS
12. SB 380-Riddle
13. SB 297-Hummel, with SCS
14. SB 474-Schatz
15. SB 483-Holsman
16. SB 498-Nasheed

HOUSE BILLS ON THIRD READING

1. HB 288-Fitzpatrick (Kehoe)
2. HCS for HB 151 (Silvey)
 (In Fiscal Oversight)
3. HB 850-Davis (Kraus)
4. HCS for HB 452 (Rowden)
5. HCS for HB 831, with SCS (Hummel)
 (In Fiscal Oversight)
6. HCS for HB 381, with SCS (Hegeman)
7. HB 58-Haefner (Onder)
8. HB 175-Reiboldt, with SCS (Munzlinger)
9. HB 327-Morris (Curls)
 (In Fiscal Oversight)

10. HB 680-Fitzwater, with SCS (Wasson)
11. HCS for HB 57-Haefner, with SCS
 (Libla) (In Fiscal Oversight)
12. HCS for HB 422 (Dixon)
13. HB 245-Rowland, with SCS
 (Cunningham) (In Fiscal Oversight)
14. HB 262-Sommer (Hoskins)
15. HCS for HB 270 (Rowden)
16. HCS for HB 661, with SCS (Emery)
 (In Fiscal Oversight)
17. HB 758-Cookson, with SCS (Romine)
18. HCS for HB 138, with SCS (Onder)

19. HCS for HB 441 (Rowden)
20. HCS for HB 253, with SCS (Romine)
21. HB 94-Lauer (Romine)
22. HB 248-Fitzwater, with SCS
(Cunningham) (In Fiscal Oversight)
23. HB 289-Fitzpatrick, with SCS
(Rowden) (In Fiscal Oversight)
24. HB 493-Bondon, with SCS (Silvey)
25. HB 52-Andrews (Hegeman)
26. HCS for HB 647, with SCS (Sater)
27. HCS for HB 353, with SCS (Sater)
28. HCS for HB 54, with SCS (Emery)
29. HB 355-Bahr (Eigel)
30. HCS for HB 122, with SCS (Onder)
31. HCS for HB 230, with SCS (Koenig)
32. HB 700-Cookson, with SCS (Libla)
33. HB 1045-Haahr (Wasson)
(In Fiscal Oversight)
34. HB 909-Fraker (Wasson)
35. HCS for HB 631, with SCS (Emery)
36. HCS for HB 348 (Romine)
37. HJR 10-Brown (Romine)
38. HCS#2 for HB 502 (Rowden)
39. HCS for HB 304, with SCS (Koenig)
40. HB 871-Davis, with SCS (Kraus)
41. HB 843-McGaugh, with SCS (Hegeman)
42. HB 200-Fraker, with SCS (Sater)
43. HCS for HB 703 (Hegeman)
44. HB 956-Kidd, with SCS (Rizzo)
45. HCS for HB 199, with SCS (Cunningham)
46. HB 87-Henderson, with SCS (Romine)
47. HB 587-Redmon, with SCS (Hegeman)
48. HCS for HB 258, with SCS (Munzlinger)
49. HB 349-Brown, with SCS (Sater)
50. HCS for HB 316, with SCS
(Wallingford)
51. HB 558-Ross, with SCS (Schatz)
52. HB 586-Rhoads (Rowden)
53. HB 256-Rhoads, with SCS
54. HCS for HB 645 (Sater)
55. HCS for HB 183 (Nasheed)
56. HCS for HB 542 (Schatz)
57. HB 61-Alferman (Schatz)
58. HB 128, HB 678, HB 701 &
HB 964-Davis, with SCS (Richard)
59. HB 811-Ruth (Wieland)
60. HB 805-Basye (Rowden)
61. HB 664-Korman (Riddle)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|-----------------------------|
| SB 5-Richard | SB 68-Onder and Nasheed |
| SB 6-Richard, with SCS | SB 76-Munzlinger |
| SB 13-Dixon | SB 80-Wasson, with SCS |
| SB 20-Brown | SB 81-Dixon |
| SB 21-Brown | SB 83-Dixon |
| SB 28-Sater, with SCS (pending) | SB 85-Kraus, with SCS |
| SB 32-Emery, with SCS | SB 96-Sater and Emery |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | SB 97-Sater, with SCS |
| SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending) | SB 102-Cunningham, with SCS |
| SBs 44 & 63-Romine, with SCS | SB 103-Wallingford |
| SB 46-Libla, with SCS | SB 109-Holsman, with SCS |
| SB 61-Hegeman, with SCS | SB 115-Schupp, with SCS |
| SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending) | SB 117-Schupp, with SCS |
| | SB 122-Munzlinger, with SCS |
| | SB 123-Munzlinger |
| | SB 126-Wasson |

- SB 129-Dixon and Sifton, with SCS
 SB 130-Kraus, with SCS
 SB 133-Chappelle-Nadal
 SB 138-Sater
 SB 141-Emery
 SB 142-Emery
 SB 144-Wallingford
 SB 145-Wallingford, with SCS
 SB 147-Romine
 SB 156-Munzlinger, with SCS
 SB 157-Dixon, with SCS
 SB 158-Dixon
 SB 163-Romine
 SB 169-Dixon, with SCS
 SB 171-Dixon and Sifton, with SCS
 SB 176-Dixon
 SB 177-Dixon, with SCS
 SB 178-Dixon
 SB 180-Nasheed, with SCS
 SB 183-Hoskins, with SCS
 SB 184-Emery, with SS (pending)
 SB 185-Onder, et al, with SCS
 SB 188-Munzlinger, with SCS
 SB 189-Kehoe, with SCS
 SB 190-Emery, with SCS & SS#2 for SCS
 (pending)
 SB 196-Koenig
 SB 199-Wasson
 SB 200-Libla
 SB 201-Onder, with SCS
 SB 203-Sifton, with SCS
 SB 207-Sifton
 SB 209-Wallingford
 SB 210-Onder, with SCS
 SB 220-Riddle, with SCS & SS for SCS
 (pending)
 SB 221-Riddle
 SB 223-Schatz, with SCS
 SB 227-Koenig, with SCS
 SB 228-Koenig, with SS & SA 1 (pending)
 SB 230-Riddle
 SB 232-Schatz
 SB 233-Wallingford
 SB 234-Libla, with SCS
 SB 239-Rowden, with SCS
 SB 242-Emery, with SCS
 SB 243-Hegeman
 SB 247-Kraus, with SCS
 SB 250-Kehoe
 SB 252-Dixon, with SCS
 SB 258-Munzlinger
 SB 259-Munzlinger
 SB 260-Munzlinger
 SB 261-Munzlinger
 SB 262-Munzlinger
 SB 263-Riddle
 SB 264-Dixon
 SB 267-Schatz, with SCS
 SB 271-Wasson and Richard, with SCS
 SB 280-Hoskins, with SCS
 SB 284-Hegeman, with SCS
 SBs 285 & 17-Koenig, with SCS
 SB 286-Rizzo
 SB 290-Schatz, with SCS
 SB 295-Schaaf, with SCS
 SB 298-Curls
 SB 303-Wieland, with SCS
 SB 311-Wasson, with SCS
 SBs 314 & 340-Schatz, et al, with SCS
 SB 316-Rowden, with SCS
 SB 325-Kraus
 SBs 327, 238 & 360-Romine, with SCS
 SB 328-Romine, with SCS & SA 3 (pending)
 SB 330-Munzlinger
 SB 331-Hegeman
 SB 333-Schaaf, with SCS
 SB 336-Wieland
 SB 348-Wasson, with SA 1 (pending)
 SB 349-Wasson
 SB 358-Wieland
 SB 362-Hummel
 SB 368-Rowden
 SB 371-Schaaf, with SA 2 & SSA 1 for
 SA 2 (pending)
 SB 378-Wallingford
 SB 379-Schatz
 SB 381-Riddle
 SB 383-Eigel and Wieland

SB 384-Rowden, with SCS
SB 389-Sater, with SCS
SB 391-Munzlinger
SB 392-Holsman
SB 406-Wasson and Sater
SB 409-Koenig
SB 410-Schatz
SB 413-Munzlinger
SB 418-Hegeman, with SCS
SB 419-Riddle
SB 422-Cunningham, with SCS
SB 426-Wasson, with SCS
SB 427-Wasson
SB 430-Cunningham, with SCS
SB 433-Sater, with SCS

SB 435-Cunningham, with SCS
SB 442-Hegeman
SB 445-Rowden
SB 448-Emery
SB 451-Nasheed, with SS (pending)
SB 468-Hegeman
SB 469-Schatz
SB 475-Schatz
SB 485-Hoskins
SB 517-Wasson
SB 526-Brown
SJR 9-Romine, with SCS
SJR 11-Hegeman, with SCS
SJR 12-Eigel
SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)
HCS for HB 66, with SCS (Sater)
HB 85-Redmon, with SCS (Hegeman)
HCS for HBs 91, 42, 131, 265 & 314
(Brown)
HB 93-Lauer, with SCS (Wasson)
HB 95-McGaugh (Emery)
HB 104-Love (Brown)
HCS for HB 115, with SCS (Wasson)
HCS for HBs 190 & 208 (Eigel)
HB 207-Fitzwater (Romine)
HB 251-Taylor, with SCS, SS for SCS,
SA 2 & SA 3 to SA 2 (pending) (Onder)
HCS for HB 292, with SCS (Cunningham)

HCS for HBs 302 & 228, with SCS, SA 1 &
motion to postpone debate to a day
certain (pending) (Schatz)
HB 336-Shull (Rowden)
HCS for HBs 337, 259 & 575 (Schatz)
HCS for HB 427, with SCS (Kehoe)
HCS for HB 451 (Wasson)
HCS for HB 460 (Munzlinger)
HB 461-Kolkmeier (Munzlinger)
HB 462-Kolkmeier (Munzlinger)
HB 655-Engler (Dixon)
HCS for HBs 1194 & 1193 (Hegeman)
HCB 3-Fitzpatrick, with SA 2 (pending)
(Koenig)

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate
recede or grant conference)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 18-Wallingford
HCS for HCR 19 (Kehoe)

HCR 28-Rowland (Rowden)

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Journal of the Senate

FIRST REGULAR SESSION

FIFTY-EIGHTH DAY—MONDAY, APRIL 24, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Make me to know your ways, O Lord; teach me your path.” (Psalm 25:4)

Increase in us, Almighty God, faith, hope and charity that we receive from Your gracious hand and poured out on others. Let us obtain Your promise making us to love that which You command of us so we do not weary nor feel burdened but come to understand and experience a joy for us in obeying You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 20, 2017 was read and approved.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Wasson offered Senate Resolution No. 804, regarding Bob Brewer, Nixa, which was adopted.

Senator Wasson offered Senate Resolution No. 805, regarding Pastor Michael Hamilton, Sparta, which was adopted.

Senator Riddle offered Senate Resolution No. 806, regarding Taylor Fusselman, which was adopted.

Senator Hoskins offered Senate Resolution No. 807, regarding Margaret Elizabeth Lyon, Lawson, which was adopted.

Senator Kehoe offered Senate Resolution No. 808, regarding Cecilia Mehan, Jefferson City, which was adopted.

Senator Wallingford offered Senate Resolution No. 809, regarding Kevin Flick, Vienna, Illinois, which was adopted.

Senator Hoskins offered Senate Resolution No. 810, regarding Colette Ellen Tilden, Warrensburg, which was adopted.

Senator Munzlinger offered Senate Resolution No. 811, regarding John D. Bailey, D.O., Kirksville, which was adopted.

Senator Romine offered Senate Resolution No. 812, regarding Brownie Conway, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 813, regarding Joyce Hemphill, Farmington, which was adopted.

Senator Romine offered Senate Resolution No. 814, regarding Kathy Crum, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 815, regarding Tina Lilley, Imperial, which was adopted.

Senator Romine offered Senate Resolution No. 816, regarding Theresa Dunn, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 817, regarding Linda Conway, Bonne Terre, which was adopted.

Senator Romine offered Senate Resolution No. 818, regarding Gail L. Kimmich, Perryville, which was adopted.

Senator Romine offered Senate Resolution No. 819, regarding Dessie Pratt, Ellington, which was adopted.

Senator Rizzo offered Senate Resolution No. 820, regarding Cathy Enfield, Independence, which was adopted.

Senator Rizzo offered Senate Resolution No. 821, regarding Jamie Kidd, Independence, which was adopted.

Senator Libla offered Senate Resolution No. 822, regarding Emily Johns, Dudley, which was adopted.

Senator Hegeman offered Senate Resolution No. 823, regarding the Fiftieth Wedding Anniversary of Leonard and Luise Shurvington, Savannah, which was adopted.

Senator Hegeman offered Senate Resolution No. 824, regarding the Fiftieth Wedding Anniversary of Joseph and Carmelita Untiedt, Stanberry, which was adopted.

Senator Onder offered Senate Resolution No. 825, regarding Sydney Anne Burgdorf, O’Fallon, which was adopted.

Senator Curls offered Senate Resolution No. 826, regarding the death of Jonah Mark Noll, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Richard, Chairman of the Committee on Gubernatorial Appointments, submitted the following report, reading of which was waived:

Mr. President: Your Committee on Gubernatorial Appointments, to which was referred the appointment of Joel Walters, as Director of the Department of Revenue, begs leave to report that it has considered the same and recommends that the Senate do give its advice and consent to said appointment.

Senator Richard moved that the committee report be adopted, and the Senate do give its advice and consent to the above appointment, which motion prevailed.

President Pro Tem Richard ruled the pending point of order raised by Senator Schaaf on Thursday, April 20, 2017 not well taken.

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCS for HB 433—Economic Development.

HB 598—Government Reform.

HCS for HB 656—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 698—Agriculture, Food Production and Outdoor Resources.

HCS for HB 17—Appropriations.

HCS for HB 18—Appropriations.

HCS for HB 19—Appropriations.

HCB 4—Economic Development.

HCB 5—Economic Development.

HCS for HB 118—Education.

HB 227—Seniors, Families and Children.

HCS for HB 694—Transportation, Infrastructure and Public Safety.

HB 121—Education.

HB 209—Professional Registration.

HCS for HB 334—Commerce, Consumer Protection, Energy and the Environment.

HCS for HB 159—Government Reform.

HCS for HB 741—Insurance and Banking.

HCS for HB 729—Health and Pensions.

HCS for HB 935—Progress and Development.

HB 849—Ways and Means.

HCS for HB 330—Professional Registration.

HCS for HB 1158—Seniors, Families and Children.

HCS for HB 144—Judiciary and Civil and Criminal Jurisprudence.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for HCRs 32 and 33**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE CONCURRENT RESOLUTION NOS. 32 and 33
Relating to the designation of Total Eclipse Day in Missouri.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

WHEREAS, on August 21, 2017, the moon will orbit between the earth and the sun and obstruct the light of the sun, thus creating a total solar eclipse; and

WHEREAS, the last total solar eclipse visible in the continental United States occurred in 1979; and

WHEREAS, this total solar eclipse will travel across the continental United States from Oregon to South Carolina; and

WHEREAS, the last total solar eclipse visible in Missouri occurred in 1869; and

WHEREAS, the center of this solar eclipse will travel directly from St. Joseph, Missouri to Perryville, Missouri, and the moon will cast a seventy-mile-wide shadow over many cities and counties in Missouri including the cities of Rock Port, Savannah, Kansas City, Chillicothe, Richmond, Carrollton, St. Louis City, Sullivan, St. Clair, Pacific, Blue Springs, Velda Village Hills, Owensville, Belle, Vienna, Westphalia, Linn, Affton, Marshall, Moberly, Sedalia, Columbia, Jefferson City, Chesterfield, Farmington, and Cape Girardeau; and

WHEREAS, the moment when the moon's leading edge first obstructs the sun's light and the moon begins to cast a partial shadow is called first contact; and

WHEREAS, the moment when the moon's leading edge obstructs the other edge of the sun and the moon first fully obstructs the sun and casts a full shadow is called second contact; and

WHEREAS, the moment when the trailing edge of the moon begins receding from the sun's edge and the moon again casts a partial shadow is called third contact; and

WHEREAS, the time between second contact and third contact when the moon obstructs all of the sun's direct light is called the totality; and

WHEREAS, during both the second contact and third contact when the sun is not quite entirely obstructed by the moon, bits of sunlight will shine only through the valleys and craters of the moon creating bright spots called Bailey's Beads; and

WHEREAS, during the totality day turns to night, stars can be seen in the sky, insects chirp, the temperature cools, the sun produces a halo effect around the black orb of the moon, and the sky on the horizon in every direction is the color of a sunset; and

WHEREAS, the moment when the moon's trailing edge fully passes away from the sun, and the moon no longer casts a shadow is called

fourth contact; and

WHEREAS, first contact will occur at 11:40 A.M. on the western border of Missouri and at 11:51 A.M. on the eastern border of Missouri; and

WHEREAS, the time between first contact and fourth contact will be approximately two hours and fifty-five minutes; and

WHEREAS, the totality's Greatest Duration is located so that the length of the totality throughout all of Missouri will be within two seconds of the Greatest Duration: two minutes and forty seconds; and

WHEREAS, the rare event of a total solar eclipse will be an economic boon to the state; and

WHEREAS, over an estimated one million people will travel to Missouri to experience this total solar eclipse; and

WHEREAS, counties along the path of the eclipse expect to double and triple their populations for the day; and

WHEREAS, hotel rooms are already fully booked, public viewing areas have been designated, buses have been chartered, and small businesses are gearing up for large crowds; and

WHEREAS, Rosecrans Memorial Airport in St. Joseph was reserved as a viewing area five years in advance of the eclipse; and

WHEREAS, over one million special viewing glasses have been ordered for the multiple eclipse-related events across Missouri; and

WHEREAS, hundreds of people across the state have worked for two years in anticipation of the economic opportunity the total solar eclipse presents to the state by holding meetings, providing educational packets to schools, and creating events to inform the public; and

WHEREAS, various communities throughout the state will host eclipse-related celebrations, festivals, and activities; and

WHEREAS, schools and colleges are planning eclipse-related education lessons and events; and

WHEREAS, no picture can do the experience of a total solar eclipse justice, and one must be seen in person; and

WHEREAS, Missouri is an ideal location to view the 2017 total solar eclipse:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby designate August 21, 2017, as "Total Eclipse Day" in the State of Missouri; and

BE IT FURTHER RESOLVED that the citizens of and visitors to this state are encouraged to observe the day with appropriate events and activities to witness the total solar eclipse; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 66**, entitled:

An Act to repeal sections 287.020, 287.037, 287.120, 287.149, 287.170, 287.200, 287.203, 287.243, 287.280, 287.390, and 287.780, RSMo, and to enact in lieu thereof eleven new sections relating to workers' compensation.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended and House Amendment No. 2.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 1, Line 3, by inserting immediately after said line the following:

"Further amend said Bill, Page 14, Section 287.243, Lines 77-89, by deleting all of said lines and inserting in lieu thereof the following:

"(1) To the surviving spouse of the law enforcement officer, emergency medical technician, air

ambulance pilot, air ambulance registered professional nurse, or firefighter if there is no child who survived the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter;

(2) Fifty percent to the surviving child, or children, in equal shares, and fifty percent to the surviving spouse if there is at least one child who survived the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter, and a surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter;

(3) To the surviving child, or children, in equal shares, if there is no surviving spouse of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter;”; and

Further amend said bill and section, Pages 14-15, Lines 100-113, by deleting all of said lines and inserting in lieu thereof the following:

“(b) To the surviving individual, or individuals, in equal shares, designated by the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter to receive benefits under the most recently executed life insurance policy of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter on file at the time of death with the public safety agency, organization, or unit if there is no individual qualifying under paragraph (a);

(5) To the surviving parent, or parents, in equal shares, of the law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter if there is no individual qualifying under subdivisions (1), (2), (3), or (4) of this subsection, ; or

(6) To the surviving individual, or individuals, in equal shares, who would qualify under the definition of the term “child” but for age if there is no individual qualifying under subdivision (1), (2), (3), (4), or (5) of this subsection.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 7, Section 287.120, Lines 84-85, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 66, Page 11, Section 287.203, Line 11, by inserting immediately after said section and line the following:

“287.240. If the injury causes death, either with or without disability, the compensation therefor shall be as provided in this section:

(1) In all cases the employer shall pay direct to the persons furnishing the same the reasonable expense of the burial of the deceased employee not exceeding five thousand dollars. But no person shall be entitled

to compensation for the burial expenses of a deceased employee unless he **or she** has furnished the same by authority of the widow or widower, the nearest relative of the deceased employee in the county of his **or her** death, his **or her** personal representative, or the employer, who shall have the right to give the authority in the order named. All fees and charges under this section shall be fair and reasonable, shall be subject to regulation by the division or the commission and shall be limited to such as are fair and reasonable for similar service to persons of a like standard of living. The division or the commission shall also have jurisdiction to hear and determine all disputes as to the charges. If the deceased employee leaves no dependents, the death benefit in this subdivision provided shall be the limit of the liability of the employer under this chapter on account of the death, except as herein provided for burial expenses and except as provided in section 287.140; provided that in all cases when the employer admits or does not deny liability for the burial expense, it shall be paid within thirty days after written notice, that the service has been rendered, has been delivered to the employer. The notice may be sent by registered mail, return receipt requested, or may be made by personal delivery;

(2) The employer shall also pay to the [total] dependents of the employee a death benefit based on the employee's average weekly earnings during the year immediately preceding the injury that results in the death of the employee, as provided in section 287.250. The amount of compensation for death, which shall be paid in installments in the same manner that compensation is required to be paid under this chapter, shall be computed as follows:

(a) If the injury which caused the death occurred on or after September 28, 1983, but before September 28, 1986, the weekly compensation shall be an amount equal to sixty-six and two-thirds percent of the employee's average weekly earnings during the year immediately preceding the injury; provided that the weekly compensation paid under this paragraph shall not exceed an amount equal to seventy percent of the state average weekly wage, as such wage is determined by the division of employment security, as of the July first immediately preceding the date of injury]. If there is a total dependent, no death benefits shall be payable to partial dependents or any other persons except as provided in subdivision (1) of this section];

(b) If the injury which caused the death occurred on or after September 28, 1986, but before August 28, 1990, the weekly compensation shall be an amount equal to sixty-six and two-thirds percent of the employee's average weekly earnings during the year immediately preceding the injury; provided that the weekly compensation paid under this paragraph shall not exceed an amount equal to seventy-five percent of the state average weekly wage, as such wage is determined by the division of employment security, as of the July first immediately preceding the date of injury]. If there is a total dependent, no death benefit shall be payable to partial dependents or any other persons except as provided in subdivision (1) of this section];

(c) If the injury which caused the death occurred on or after August 28, 1990, but before August 28, 1991, the weekly compensation shall be an amount equal to sixty-six and two-thirds percent of the injured employee's average weekly earnings as of the date of the injury; provided that the weekly compensation paid under this paragraph shall not exceed an amount equal to one hundred percent of the state average weekly wage;

(d) If the injury which caused the death occurred on or after August 28, 1991, the weekly compensation shall be an amount equal to sixty-six and two-thirds percent of the injured employee's average weekly earnings as of the date of the injury; provided that the weekly compensation paid under this paragraph shall not exceed an amount equal to one hundred five percent of the state average weekly wage;

(e) If the injury which caused the death occurred on or after September 28, 1981, the weekly compensation shall in no event be less than forty dollars per week;

(3) [If there are partial dependents, and no total dependents, a part of the death benefit herein provided in the case of total dependents, determined by the proportion of his contributions to all partial dependents by the employee at the time of the injury, shall be paid by the employer to each of the dependents proportionately;

(4)] The word “dependent” as used in this chapter shall [be construed to] mean [a relative by blood or marriage of a deceased employee, who is actually dependent for support, in whole or in part, upon his or her wages at the time of the injury. The following persons shall be conclusively presumed to be totally dependent for support upon a deceased employee, and any death benefit shall be payable to them to the exclusion of other total dependents];

(a) A wife upon a husband with whom she lives or who is legally liable for her support, and a husband upon a wife with whom he lives or who is legally liable for his support; provided that on the death or remarriage of a widow or widower, the death benefit shall cease unless there be other [total] dependents entitled to any death benefits under this chapter. In the event of remarriage, a lump sum payment equal in amount to the benefits due for a period of two years shall be paid to the widow or widower. Thereupon the periodic death benefits shall cease unless there are other [total] dependents entitled to any death benefit under this chapter, in which event the periodic benefits to which such widow or widower would have been entitled had he or she not died or remarried shall be divided among such other [total] dependents and paid to them during their period of entitlement under this chapter; **or**

(b) A natural, posthumous, or adopted child or children, whether legitimate or illegitimate, **including any stepchild claimable by the deceased on his or her federal tax return at the time of injury**, under the age of eighteen years, or over that age if physically or mentally incapacitated from wage earning, upon the parent legally liable for the support or with whom he, she, or they are living at the time of the death of the parent. In case there is a wife or a husband mentally or physically incapacitated from wage earning, dependent upon a wife or husband, and a child or more than one child thus dependent, the death benefit shall be divided among them in such proportion as may be determined by the commission after considering their ages and other facts bearing on the dependency. In all other cases questions of [total or partial] **the degree of dependency** shall be determined in accordance with the facts at the time of the injury, and in such other cases if there is more than one person wholly dependent the death benefit shall be divided equally among them. The payment of death benefits to a child or other dependent as provided in this paragraph shall cease when the dependent dies, attains the age of eighteen years, or becomes physically and mentally capable of wage earning over that age, or until twenty-two years of age if the child of the deceased is in attendance and remains as a full-time student in any accredited educational institution, or if at eighteen years of age the dependent child is a member of the Armed Forces of the United States on active duty; provided, however, that such dependent child shall be entitled to compensation during four years of full-time attendance at a fully accredited educational institution to commence prior to twenty-three years of age and immediately upon cessation of his **or her** active duty in the Armed Forces, unless there are other [total] dependents entitled to the death benefit under this chapter;

[5)] (4) The division or the commission may, in its discretion, order or award the share of compensation of any such child to be paid to the parent, grandparent, or other adult next of kin or conservator of the child for the latter’s support, maintenance and education, which order or award upon notice to the parties may

be modified from time to time by the commission in its discretion with respect to the person to whom shall be paid the amount of the order or award remaining unpaid at the time of the modification;

[(6)] (5) The payments of compensation by the employer in accordance with the order or award of the division or the commission shall discharge the employer from all further obligations as to the compensation;

[(7)] (6) All death benefits in this chapter shall be paid in installments in the same manner as provided for disability compensation;

[(8)] (7) Every employer shall keep a record of the correct names and addresses of the dependents of each of his **or her** employees, and upon the death of an employee by accident arising out of and in the course of his **or her** employment shall so far as possible immediately furnish the division with such names and addresses;

[(9)] (8) Dependents receiving death benefits under the provisions of this chapter shall annually report to the division as to marital status in the case of a widow or widower or age and physical or mental condition of a dependent child. The division shall provide forms for the making of such reports.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Schatz moved that **HCS** for **HBs 302** and **228**, with **SCS, SA 1** and motion to postpone debate to a day certain (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Senator Schatz raised the point of order that the privileged motion made by the Senator from Buchanan that the debate on **HCS** for **HBs 302** and **228** be postponed to 10:00 a.m., Friday, April 21, 2017, is a moot point in that April 21, 2017 has passed.

The point of order was referred to the President Pro Tem who ruled it well taken.

SA 1 was again taken up.

At the request of Senator Hegeman, **SA 1** was withdrawn.

Senator Schatz offered **SS** for **SCS** for **HCS** for **HBs 302** and **228**, entitled:

SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 302 & 228

An Act to repeal sections 43.505, 57.450, 57.530, 190.103, 190.165, 488.5320, 513.653, 544.671, 565.050, 565.052, 565.054, 565.056, 575.150, and 650.330, RSMo, and to enact in lieu thereof eighteen new sections relating to emergency responders, with penalty provisions and an emergency clause for certain sections.

Senator Schatz moved that **SS** for **SCS** for **HCS** for **HBs 302** and **228** be adopted.

Senator Dixon offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House

Bill Nos. 302 and 228, Pages 31-33, Section 650.520, by striking all of said section and inserting in lieu thereof the following:

“650.520. There is hereby created a statewide program called the “Blue Alert System” referred to in this section as the “system” to aid in the identification, location, and apprehension of any individual or individuals suspected of killing or seriously wounding any local, state, or federal law enforcement officer.”.

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

At the request of Senator Dixon, **SA 1** was withdrawn.

Senator Hummel offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 and 228, Page 4, Section 57.530, Line 17 of said page, by inserting immediately after said line the following:

“86.207. 1. Except as provided herein, all persons who become policemen and all policemen who enter or reenter the service of any city not within a county after the first day of October, 1957, become members **of the system** as a condition of their employment and **during the period of their membership** shall receive no pensions or retirement allowance from any other pension or retirement system supported wholly or in part by the city not within a county or the state of Missouri, nor shall they be required to make contributions under any other pension or retirement system of the city not within a county or the state of Missouri for the same period of service[, anything to the contrary notwithstanding. Any employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and subsequently becomes a policeman may elect to remain a member of said retirement plan and shall not be required to become a member of a police retirement system established under section 86.200. However,]. **Officers employed by a city not within a county and occupying the position of “Airport Police Officer” shall not be required to become members as a condition of their employment.** An employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and who subsequently becomes a policeman may elect to transfer [membership and] creditable service to the police retirement system created under [section] **sections 86.200 to 86.366**. Such transfers are subject to the conditions and requirements contained in section 105.691 and are also subject to any existing agreements between the said retirement plans[; provided however, transfers completed prior to January 1, 2016, shall occur without regard to the vesting requirements of the receiving plan contained in section 105.691]. As part of the transfer process described herein, the respective retirement plans may require the employee to acknowledge and agree as a condition of transfer that any election made under this section is irrevocable, constitutes a waiver of any right to receive retirement and disability benefits except as provided by the police retirement system, and that plan terms may be modified in the future.

2. If any member ceases to be in service for more than one year unless the member has attained the age of fifty-five or has twenty years or more of creditable service, or if the member withdraws the member’s accumulated contributions or if the member receives benefits under the retirement system or dies, the member thereupon ceases to be a member; except in the case of a member who has served in the Armed

Forces of the United States and has subsequently been reinstated as a policeman. A member who has terminated employment as a police officer, has actually retired and is receiving retirement benefits under the system shall be considered a retired member.

3. A reserve officer shall not be considered a member of the system for the purpose of determining creditable service, nor shall any contributions be due. A reserve officer shall not be entitled to any benefits from the system other than those awarded when the reserve officer originally retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those benefits.”; and

Further amend said bill, page 33, section B, line 26 by inserting after the word “position,” the following: “to meet the requirements of the Social Security Administration and to prevent the expulsion of Missouri airport officers from the Social Security Program,”; and further amend line 28 of said page, by inserting immediately after “57.530,” the following: “86.207,”; and

Further amend said bill and section, page 34, line 5 of said page, by inserting immediately after “57.530,” the following: “86.207,”; and

Further amend the title and enacting clause accordingly.

Senator Hummel moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 and 228, Page 33, Section 650.520, Line 22, by inserting after all of said line the following:

“Section 1. 1. Notwithstanding any provision of law to the contrary, any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, may file with the fire protection district’s board of directors a notice of intention of detachment stating the city’s intent that the area located within the city and the fire protection district, or a portion of such area, is to be excluded and taken from the district. The filing of a notice of intention of detachment must be authorized by ordinance. Such notice of intention of detachment shall describe the subject area to be excluded from the fire protection district in the form of a legal description and map.

2. After filing the notice of intention of detachment with the fire protection district, the city shall conduct a public hearing on the notice of intention of detachment and give notice by publication in a newspaper of general circulation qualified to publish legal matters in the county where the subject area is located, at least once a week for three consecutive weeks prior to the hearing, with the last notice being not more than twenty days and not less than ten days before the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the date, time, and place of the subsequent hearing. At the public hearing, the city shall present its reasons why it desires to detach the subject area from the fire protection district and its plan to provide or cause to be provided fire protection and ambulance services to the subject area.

3. Following the public hearing, the governing body of the city may by ordinance, which shall not become effective except by the favorable vote of at least two-thirds of all the members of the

governing body of the city, approve the detachment of the subject area from the fire protection district.

4. Upon duly enacting such detachment ordinance, the city shall cause the same to be filed with the county assessor and the clerk of the county wherein the city is located, and one copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being detached.

5. Upon the effective date of the ordinance, which may be up to one year from the date of its passage and approval, the fire protection district shall no longer provide or cause to be provided fire protection and ambulance services to the subject area and shall no longer levy and collect any tax upon the property included within the detached area, provided that all real property excluded from a fire protection district shall thereafter be subject to the levy of taxes for the payment of any indebtedness of the fire protection district outstanding as of the ordinance's effective date; provided further, however, that after any real property shall have been excluded from a fire protection district, as herein provided, any buildings and improvements thereafter erected or constructed on said excluded real property, and all machinery and equipment thereafter installed or placed therein or thereon, and all tangible personal property not in the fire protection district at the time of the exclusion of the subject area from the fire protection district which shall thereafter be situated on or used in connection with subject area, shall not be subject to any taxes levied by the fire protection district. Furthermore:

(1) On or before January first of the second calendar year occurring after the date on which the property was detached from the fire protection district, the city shall pay to the fire protection district a fee equal to the amount of revenue which would have been generated during the previous calendar year by the fire protection district ad valorem tax on the property in the area detached which was formerly a part of the fire protection district;

(2) On or before January first of the third calendar year occurring after the date on which the property was detached from the fire protection district, the city shall pay to the fire protection district a fee equal to four-fifths of the amount of revenue which would have been generated during the previous calendar year by the fire protection district ad valorem tax on the property in the area detached which was formerly a part of the fire protection district;

(3) On or before January first of the fourth calendar year occurring after the date on which the property was detached from the fire protection district, the city shall pay to the fire protection district a fee equal to three-fifths of the amount of revenue which would have been generated during the previous calendar year by the fire protection district ad valorem tax on the property in the area detached which was formerly a part of the fire protection district;

(4) On or before January first of the fifth calendar year occurring after the date on which the property was detached from the fire protection district, the city shall pay to the fire protection district a fee equal to two-fifths of the amount of revenue which would have been generated during the previous calendar year by the fire protection district ad valorem tax on the property in the area detached which was formerly a part of the fire protection district; and

(5) On or before January first of the sixth calendar year occurring after the date on which the property was detached from the fire protection district, the city shall pay to the fire protection district

a fee equal to one-fifths of the amount of revenue which would have been generated during the previous calendar year by the fire protection district ad valorem tax on the property in the area detached which was formerly a part of the fire protection district.

6. The provisions of this section shall not apply in any county in which a boundary commission has been established pursuant to section 72.400.”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Sifton offered **SA 4:**

SENATE AMENDMENT NO. 4

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 and 228, Page 28, Section 590.1040, Line 5, by inserting after all of said line the following:

“650.055. 1. Every individual who:

(1) Is found guilty of a felony or any offense under chapter 566; or

(2) Is seventeen years of age or older and arrested for [burglary in the first degree under section 569.160, or burglary in the second degree under section 569.170, or] a felony offense [under chapter 565, 566, 567, 568, or 573]; or

(3) Has been determined to be a sexually violent predator pursuant to sections 632.480 to 632.513; or

(4) Is an individual required to register as a sexual offender under sections 589.400 to 589.425;

shall have a fingerprint and blood or scientifically accepted biological sample collected for purposes of DNA profiling analysis.

2. Any individual subject to DNA collection and profiling analysis under this section shall provide a DNA sample:

(1) Upon booking at a county jail or detention facility; or

(2) Upon entering or before release from the department of corrections reception and diagnostic centers;
or

(3) Upon entering or before release from a county jail or detention facility, state correctional facility, or any other detention facility or institution, whether operated by a private, local, or state agency, or any mental health facility if committed as a sexually violent predator pursuant to sections 632.480 to 632.513;
or

(4) When the state accepts a person from another state under any interstate compact, or under any other reciprocal agreement with any county, state, or federal agency, or any other provision of law, whether or not the person is confined or released, the acceptance is conditional on the person providing a DNA sample if the person was found guilty of a felony offense in any other jurisdiction; or

(5) If such individual is under the jurisdiction of the department of corrections. Such jurisdiction includes persons currently incarcerated, persons on probation, as defined in section 217.650, and on parole,

as also defined in section 217.650; or

(6) At the time of registering as a sex offender under sections 589.400 to 589.425.

3. The Missouri state highway patrol and department of corrections shall be responsible for ensuring adherence to the law. Any person required to provide a DNA sample pursuant to this section shall be required to provide such sample, without the right of refusal, at a collection site designated by the Missouri state highway patrol and the department of corrections. Authorized personnel collecting or assisting in the collection of samples shall not be liable in any civil or criminal action when the act is performed in a reasonable manner. Such force may be used as necessary to the effectual carrying out and application of such processes and operations. The enforcement of these provisions by the authorities in charge of state correctional institutions and others having custody or jurisdiction over individuals included in subsection 1 of this section which shall not be set aside or reversed is hereby made mandatory. The board of probation or parole shall recommend that an individual on probation or parole who refuses to provide a DNA sample have his or her probation or parole revoked. In the event that a person's DNA sample is not adequate for any reason, the person shall provide another sample for analysis.

4. The procedure and rules for the collection, analysis, storage, expungement, use of DNA database records and privacy concerns shall not conflict with procedures and rules applicable to the Missouri DNA profiling system and the Federal Bureau of Investigation's DNA databank system.

5. Unauthorized use or dissemination of individually identifiable DNA information in a database for purposes other than criminal justice or law enforcement is a class A misdemeanor.

6. Implementation of sections 650.050 to 650.100 shall be subject to future appropriations to keep Missouri's DNA system compatible with the Federal Bureau of Investigation's DNA databank system.

7. All DNA records and biological materials retained in the DNA profiling system are considered closed records pursuant to chapter 610. All records containing any information held or maintained by any person or by any agency, department, or political subdivision of the state concerning an individual's DNA profile shall be strictly confidential and shall not be disclosed, except to:

(1) Peace officers, as defined in section 590.010, and other employees of law enforcement agencies who need to obtain such records to perform their public duties;

(2) The attorney general or any assistant attorneys general acting on his or her behalf, as defined in chapter 27;

(3) Prosecuting attorneys or circuit attorneys as defined in chapter 56, and their employees who need to obtain such records to perform their public duties;

(4) The individual whose DNA sample has been collected, or his or her attorney; or

(5) Associate circuit judges, circuit judges, judges of the courts of appeals, supreme court judges, and their employees who need to obtain such records to perform their public duties.

8. Any person who obtains records pursuant to the provisions of this section shall use such records only for investigative and prosecutorial purposes, including but not limited to use at any criminal trial, hearing, or proceeding; or for law enforcement identification purposes, including identification of human remains. Such records shall be considered strictly confidential and shall only be released as authorized by this section.

9. An individual may request expungement of his or her DNA sample and DNA profile through the court issuing the reversal or dismissal. A certified copy of the court order establishing that such conviction has been reversed or guilty plea has been set aside shall be sent to the Missouri state highway patrol crime laboratory. Upon receipt of the court order, the laboratory will determine that the requesting individual has no other qualifying offense as a result of any separate plea or conviction and no other qualifying arrest prior to expungement.

(1) A person whose DNA record or DNA profile has been included in the state DNA database in accordance with this section and sections 650.050, 650.052, and 650.100 may request expungement on the grounds that the conviction has been reversed, or the guilty plea on which the authority for including that person's DNA record or DNA profile was based has been set aside.

(2) Upon receipt of a written request for expungement, a certified copy of the final court order reversing the conviction or setting aside the plea and any other information necessary to ascertain the validity of the request, the Missouri state highway patrol crime laboratory shall expunge all DNA records and identifiable information in the state DNA database pertaining to the person and destroy the DNA sample of the person, unless the Missouri state highway patrol determines that the person is otherwise obligated to submit a DNA sample. Within thirty days after the receipt of the court order, the Missouri state highway patrol shall notify the individual that it has expunged his or her DNA sample and DNA profile, or the basis for its determination that the person is otherwise obligated to submit a DNA sample.

(3) The Missouri state highway patrol is not required to destroy any item of physical evidence obtained from a DNA sample if evidence relating to another person would thereby be destroyed.

(4) Any identification, warrant, arrest, or evidentiary use of a DNA match derived from the database shall not be excluded or suppressed from evidence, nor shall any conviction be invalidated or reversed or plea set aside due to the failure to expunge or a delay in expunging DNA records.

10. When a DNA sample is taken from an individual pursuant to subdivision (2) of subsection 1 of this section and the prosecutor declines prosecution and notifies the arresting agency of that decision, the arresting agency shall notify the Missouri state highway patrol crime laboratory within ninety days of receiving such notification. Within thirty days of being notified by the arresting agency that the prosecutor has declined prosecution, the Missouri state highway patrol crime laboratory shall determine whether the individual has any other qualifying offenses or arrests that would require a DNA sample to be taken and retained. If the individual has no other qualifying offenses or arrests, the crime laboratory shall expunge all DNA records in the database taken at the arrest for which the prosecution was declined pertaining to the person and destroy the DNA sample of such person.

11. When a DNA sample is taken of an arrestee for any offense listed under subsection 1 of this section and charges are filed:

(1) If the charges are later withdrawn, the prosecutor shall notify the state highway patrol crime laboratory that such charges have been withdrawn;

(2) If the case is dismissed, the court shall notify the state highway patrol crime laboratory of such dismissal;

(3) If the court finds at the preliminary hearing that there is no probable cause that the defendant committed the offense, the court shall notify the state highway patrol crime laboratory of such finding;

(4) If the defendant is found not guilty, the court shall notify the state highway patrol crime laboratory of such verdict. If the state highway patrol crime laboratory receives notice under this subsection, such crime laboratory shall determine, within thirty days, whether the individual has any other qualifying offenses or arrests that would require a DNA sample to be taken. If the individual has no other qualifying arrests or offenses, the crime laboratory shall expunge all DNA records in the database pertaining to such person and destroy the person's DNA sample."; and

Further amend the title and enacting clause accordingly.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Curls offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 and 228, Page 4, Section 57.530, Line 17, by inserting after all of said line the following:

"84.514. The chief of police, with the approval of the board, may appoint a police officer to serve as lieutenant colonel on matters relating to homeland security. Notwithstanding the provisions of section 84.510 to the contrary, such position shall be a new position and in addition to the number of lieutenant colonels authorized under section 84.510. The lieutenant colonel authorized under this section shall be responsible for matters relating to homeland security as determined by the chief and be entitled to the same rank, privileges, and compensation afforded all other lieutenant colonels within the department."; and

Further amend the title and enacting clause accordingly.

Senator Curls moved that the above amendment be adopted.

At the request of Senator Schatz, **HCS for HBs 302 and 228**, with **SCS, SS for SCS and SA 5** (pending), was placed on the Informal Calendar.

RE-REFERRALS

President Pro Tem Richard re-referred **HB 340** to the Committee on Commerce, Consumer Protection, Energy and the Environment.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Brown, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 1**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS for HB 2**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 3**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 4**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 5**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 6**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 7**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 8**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 9**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 10**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 11**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 12**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 13**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following reports:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 251**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 528**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 307**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was referred **SB 472**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following report:

Mr. President: Your Committee on Government Reform, to which was referred **SB 524**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Parson assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCB 10**, entitled:

An Act to repeal sections 208.690, 316.160, 376.385, 376.429, 376.446, 376.620, 376.779, 376.781, 376.811, 376.845, 376.1192, 376.1199, 376.1200, 376.1215, 376.1218, 376.1219, 376.1220, 376.1224, 376.1225, 376.1230, 376.1232, 376.1235, 376.1237, 376.1250, 376.1253, 376.1275, 376.1400, 376.1550, 376.1900, 379.160, and 379.321, RSMo, and to enact in lieu thereof thirty-five new sections relating to insurance proceedings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 619**, entitled:

An Act to repeal sections 169.460 and 169.490, RSMo, and to enact in lieu thereof two new sections relating to the public school retirement system of the City of St. Louis.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 162**, entitled:

An Act to repeal section 229.150, RSMo, and to enact in lieu thereof one new section relating to drainage ditches, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 97**, entitled:

An Act to repeal section 168.021, RSMo, and to enact in lieu thereof one new section relating to a visiting scholars certificate.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 827, regarding Alexandria Christine Rensing, St. Louis, which was adopted.

Senator Walsh offered Senate Resolution No. 828, regarding Hannah Marie Schaljo, Florissant, which was adopted.

Senator Wasson offered Senate Resolution No. 829, regarding Eagle Scout Zachary Neal “Zack” Cosby, Springfield, which was adopted.

INTRODUCTION OF GUESTS

Senator Hegeman introduced to the Senate, President Dr. Lenny Klaver, North Central Missouri College, Trenton.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

FIFTY-NINTH DAY—TUESDAY, APRIL 25, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HC B 10-Engler
HCS for HB 619

HCS for HB 162
HB 97-Swan

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 313-Koenig
(In Fiscal Oversight)
SS for SCS for SB 49-Walsh
(In Fiscal Oversight)

SS for SB 490-Schupp

SENATE BILLS FOR PERFECTION

1. SB 495-Riddle, with SCS
2. SB 532-Hoskins
3. SB 518-Emery
4. SB 341-Nasheed, with SCS
5. SJR 5-Emery, with SCS
6. SB 305-Kehoe, et al
7. SB 535-Wallingford
8. SB 523-Sater, with SCS
9. SB 480-Kraus
10. SB 407-Riddle, with SCS
11. SB 353-Wallingford, with SCS

12. SB 380-Riddle
13. SB 297-Hummel, with SCS
14. SB 474-Schatz
15. SB 483-Holsman
16. SB 498-Nasheed
17. SB 251-Kehoe, with SCS
18. SB 528-Hegeman
19. SB 307-Munzlinger
20. SB 472-Hoskins
21. SB 524-Koenig, with SCS

HOUSE BILLS ON THIRD READING

1. HB 288-Fitzpatrick (Kehoe)
2. HCS for HB 151 (Silvey)
(In Fiscal Oversight)
3. HB 850-Davis (Kraus)
4. HCS for HB 452 (Rowden)

5. HCS for HB 831, with SCS (Hummel)
(In Fiscal Oversight)
6. HCS for HB 381, with SCS (Hegeman)
7. HB 58-Haefner (Onder)
8. HB 175-Reiboldt, with SCS (Munzlinger)

9. HB 327-Morris (Curls)
(In Fiscal Oversight)
10. HB 680-Fitzwater, with SCS (Wasson)
11. HCS for HB 57-Haefner, with SCS
(Libla) (In Fiscal Oversight)
12. HCS for HB 422 (Dixon)
13. HB 245-Rowland, with SCS
(Cunningham) (In Fiscal Oversight)
14. HB 262-Sommer (Hoskins)
15. HCS for HB 270 (Rowden)
16. HCS for HB 661, with SCS (Emery)
(In Fiscal Oversight)
17. HB 758-Cookson, with SCS (Romine)
18. HCS for HB 138, with SCS (Onder)
19. HCS for HB 441 (Rowden)
20. HCS for HB 253, with SCS (Romine)
21. HB 94-Lauer (Romine)
22. HB 248-Fitzwater, with SCS
(Cunningham) (In Fiscal Oversight)
23. HB 289-Fitzpatrick, with SCS
(Rowden) (In Fiscal Oversight)
24. HB 493-Bondon, with SCS (Silvey)
25. HB 52-Andrews (Hegeman)
26. HCS for HB 647, with SCS (Sater)
27. HCS for HB 353, with SCS (Sater)
28. HCS for HB 54, with SCS (Emery)
29. HB 355-Bahr (Eigel)
30. HCS for HB 122, with SCS (Onder)
31. HCS for HB 230, with SCS (Koenig)
32. HB 700-Cookson, with SCS (Libla)
33. HB 1045-Haahr (Wasson)
(In Fiscal Oversight)
34. HB 909-Fraker (Wasson)
35. HCS for HB 631, with SCS (Emery)
36. HCS for HB 348 (Romine)
37. HJR 10-Brown (Romine)
38. HCS#2 for HB 502 (Rowden)
39. HCS for HB 304, with SCS (Koenig)
40. HB 871-Davis, with SCS (Kraus)
41. HB 843-McGaugh, with SCS (Hegeman)
42. HB 200-Fraker, with SCS (Sater)
43. HCS for HB 703 (Hegeman)
44. HB 956-Kidd, with SCS (Rizzo)
45. HCS for HB 199, with SCS (Cunningham)
46. HB 87-Henderson, with SCS (Romine)
47. HB 587-Redmon, with SCS (Hegeman)
48. HCS for HB 258, with SCS (Munzlinger)
49. HB 349-Brown, with SCS (Sater)
50. HCS for HB 316, with SCS
(Wallingford)
51. HB 558-Ross, with SCS (Schatz)
52. HB 586-Rhoads (Rowden)
53. HB 256-Rhoads, with SCS (Munzlinger)
54. HCS for HB 645 (Sater)
55. HCS for HB 183 (Nasheed)
56. HCS for HB 542 (Schatz)
57. HB 61-Alferman (Schatz)
58. HB 128, HB 678, HB 701 & HB
964-Davis, with SCS (Richard)
59. HB 811-Ruth (Wieland)
60. HB 805-Basye (Rowden)
61. HB 664-Korman (Riddle)
62. HCS for HB 1 (Brown)
63. HCS for HB 2, with SCS (Brown)
64. HCS for HB 3, with SCS (Brown)
65. HCS for HB 4, with SCS (Brown)
66. HCS for HB 5, with SCS (Brown)
67. HCS for HB 6, with SCS (Brown)
68. HCS for HB 7, with SCS (Brown)
69. HCS for HB 8, with SCS (Brown)
70. HCS for HB 9, with SCS (Brown)
71. HCS for HB 10, with SCS (Brown)
72. HCS for HB 11, with SCS (Brown)
73. HCS for HB 12, with SCS (Brown)
74. HCS for HB 13, with SCS (Brown)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 6-Richard, with SCS

SB 13-Dixon	SB 171-Dixon and Sifton, with SCS
SB 20-Brown	SB 176-Dixon
SB 21-Brown	SB 177-Dixon, with SCS
SB 28-Sater, with SCS (pending)	SB 178-Dixon
SB 32-Emery, with SCS	SB 180-Nasheed, with SCS
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 183-Hoskins, with SCS
SB 41-Wallingford and Emery, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 184-Emery, with SS (pending)
SBs 44 & 63-Romine, with SCS	SB 185-Onder, et al, with SCS
SB 46-Libla, with SCS	SB 188-Munzlinger, with SCS
SB 61-Hegeman, with SCS	SB 189-Kehoe, with SCS
SB 67-Onder, et al, with SS, SA 1 & SSA 1 for SA 1 (pending)	SB 190-Emery, with SCS & SS#2 for SCS (pending)
SB 68-Onder and Nasheed	SB 196-Koenig
SB 76-Munzlinger	SB 199-Wasson
SB 80-Wasson, with SCS	SB 200-Libla
SB 81-Dixon	SB 201-Onder, with SCS
SB 83-Dixon	SB 203-Sifton, with SCS
SB 85-Kraus, with SCS	SB 207-Sifton
SB 96-Sater and Emery	SB 209-Wallingford
SB 97-Sater, with SCS	SB 210-Onder, with SCS
SB 102-Cunningham, with SCS	SB 220-Riddle, with SCS & SS for SCS (pending)
SB 103-Wallingford	SB 221-Riddle
SB 109-Holsman, with SCS	SB 223-Schatz, with SCS
SB 115-Schupp, with SCS	SB 227-Koenig, with SCS
SB 117-Schupp, with SCS	SB 228-Koenig, with SS & SA 1 (pending)
SB 122-Munzlinger, with SCS	SB 230-Riddle
SB 123-Munzlinger	SB 232-Schatz
SB 126-Wasson	SB 233-Wallingford
SB 129-Dixon and Sifton, with SCS	SB 234-Libla, with SCS
SB 130-Kraus, with SCS	SB 239-Rowden, with SCS
SB 133-Chappelle-Nadal	SB 242-Emery, with SCS
SB 138-Sater	SB 243-Hegeman
SB 141-Emery	SB 247-Kraus, with SCS
SB 142-Emery	SB 250-Kehoe
SB 144-Wallingford	SB 252-Dixon, with SCS
SB 145-Wallingford, with SCS	SB 258-Munzlinger
SB 147-Romine	SB 259-Munzlinger
SB 156-Munzlinger, with SCS	SB 260-Munzlinger
SB 157-Dixon, with SCS	SB 261-Munzlinger
SB 158-Dixon	SB 262-Munzlinger
SB 163-Romine	SB 263-Riddle
SB 169-Dixon, with SCS	SB 264-Dixon
	SB 267-Schatz, with SCS

SB 271-Wasson and Richard, with SCS	SB 384-Rowden, with SCS
SB 280-Hoskins, with SCS	SB 389-Sater, with SCS
SB 284-Hegeman, with SCS	SB 391-Munzlinger
SBs 285 & 17-Koenig, with SCS	SB 392-Holsman
SB 286-Rizzo	SB 406-Wasson and Sater
SB 290-Schatz, with SCS	SB 409-Koenig
SB 295-Schaaf, with SCS	SB 410-Schatz
SB 298-Curls	SB 413-Munzlinger
SB 303-Wieland, with SCS	SB 418-Hegeman, with SCS
SB 311-Wasson, with SCS	SB 419-Riddle
SBs 314 & 340-Schatz, et al, with SCS	SB 422-Cunningham, with SCS
SB 316-Rowden, with SCS	SB 426-Wasson, with SCS
SB 325-Kraus	SB 427-Wasson
SBs 327, 238 & 360-Romine, with SCS	SB 430-Cunningham, with SCS
SB 328-Romine, with SCS & SA 3 (pending)	SB 433-Sater, with SCS
SB 330-Munzlinger	SB 435-Cunningham, with SCS
SB 331-Hegeman	SB 442-Hegeman
SB 333-Schaaf, with SCS	SB 445-Rowden
SB 336-Wieland	SB 448-Emery
SB 348-Wasson, with SA 1 (pending)	SB 451-Nasheed, with SS (pending)
SB 349-Wasson	SB 468-Hegeman
SB 358-Wieland	SB 469-Schatz
SB 362-Hummel	SB 475-Schatz
SB 368-Rowden	SB 485-Hoskins
SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)	SB 517-Wasson
SB 378-Wallingford	SB 526-Brown
SB 379-Schatz	SJR 9-Romine, with SCS
SB 381-Riddle	SJR 11-Hegeman, with SCS
SB 383-Eigel and Wieland	SJR 12-Eigel
	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HCS for HBs 190 & 208 (Eigel)
HCS for HB 66, with SCS (Sater)	HB 207-Fitzwater (Romine)
HB 85-Redmon, with SCS (Hegeman)	HB 251-Taylor, with SCS, SS for SCS, SA 2 & SA 3 to SA 2 (pending) (Onder)
HCS for HBs 91, 42, 131, 265 & 314 (Brown)	HCS for HB 292, with SCS (Cunningham)
HB 93-Lauer, with SCS (Wasson)	HCS for HBs 302 & 228, with SCS, SS for SCS & SA 5 (pending) (Schatz)
HB 95-McGaugh (Emery)	HB 336-Shull (Wieland)
HB 104-Love (Brown)	HCS for HBs 337, 259 & 575 (Schatz)
HCS for HB 115, with SCS (Wasson)	

HCS for HB 427, with SCS (Kehoe)
HCS for HB 451 (Wasson)
HCS for HB 460 (Munzlinger)
HB 461-Kolkmeyer (Munzlinger)
HB 462-Kolkmeyer (Munzlinger)

HB 655-Engler (Dixon)
HCS for HBs 1194 & 1193 (Hegeman)
HCB 3-Fitzpatrick, with SA 2 (pending)
(Koenig)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 66-Schatz, with HCS,
as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate
recede or grant conference)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 18-Wallingford
HCS for HCR 19 (Kehoe)

HCR 28-Rowland (Rowden)

To be Referred

HCS for HCRs 32 & 33

✓

Journal of the Senate

FIRST REGULAR SESSION

FIFTY-NINTH DAY—TUESDAY, APRIL 25, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“He leads the humble in what is right, and teaches the humble his way. All paths of the Lord are steadfast love and faithfulness, for those who keep his covenant and his decrees.” (Psalm 25:9-10)

Heavenly Father You hear the faintest prayer whether spoken or not, so we pray hear our prayer that our uncertainties and concerns for what we do here is grounded in Your word and brings us assurance that our decisions are in keeping with Your desire for us. Keep us resolute in our hope to be faithful and centered in You our God. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

The Senate observed a moment of silence for Michelle Nilges.

RESOLUTIONS

Senator Eigel offered Senate Resolution No. 830, regarding Pete Anthony Lo Grasso, Saint Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 831, regarding Donald Norman “Don” Sugar, Saint Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 832, regarding James Noble “Jim” Shackelford, Saint Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 833, regarding Robert Wayne “Bob” Rogers, Saint Charles, which was adopted.

Senator Dixon offered Senate Resolution No. 834, regarding Chandler A. Haynes, Bruner, which was adopted.

SECOND READING OF CONCURRENT RESOLUTIONS

The following Concurrent Resolution was read the 2nd time and referred to the Committee indicated:

HCS for HCRs 32 and 33—Rules, Joint Rules, Resolutions and Ethics.

Senator Kehoe requested that without objection, the Senate would go to the Order of Business of House Bills on Third Reading.

Senator Schaaf rose to object.

Senator Kehoe moved that the Senate go to the Order of Business of House Bills on Third Reading.

Senator Silvey raised the point of order that a motion to suspend the rules to go to the Order of Business of House Bills on 3rd Reading was necessary rather than just a motion.

The point of order was referred to the President Pro Tem.

Senator Kehoe withdrew his motion, rendering the point of order moot.

HOUSE BILLS ON THIRD READING

HCS for HB 1, entitled:

An Act to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, and Fourth State Building Bond and Interest Fund, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

On motion of Senator Brown, **HCS for HB 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 2, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for HCS for HB 2, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 2** be adopted.

Senator Romine offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 3, by striking the number “\$3,704,489,396” and inserting in lieu thereof the number “\$3,749,483,608”; and

Further amend said section, line 9 by striking the number “\$3,347,912,937” and inserting in lieu thereof the number “\$3,392,907,149”; and

Further amend said section, line 16 by striking the number “2,164,393,353” and inserting in lieu thereof the number “2,209,387,565”; and

Further amend section and bill totals accordingly.

Senator Romine moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

Senator Schaaf requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Libla, Romine, Schupp and Walsh.

Senator Cunningham offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 3, by striking the number “\$3,704,489,396” and inserting in lieu thereof the number “\$3,714,489,396”; and

Further amend said section, line 9 by striking the number “\$3,347,912,937” and inserting in lieu thereof the number “\$3,357,912,937”; and

Further amend said section, line 16 by striking the number “2,164,393,353” and inserting in lieu thereof the number “2,174,393,353”; and

Further amend section and bill totals accordingly.

Senator Cunningham moved that the above substitute amendment be adopted.

At the request of Senator Brown, **HCS** for **HB 2**, with **SCS**, **SA 1** and **SSA 1** for **SA 1** (pending), was placed on the Informal Calendar.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HB 34**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 293**, entitled:

An Act to amend chapter 304, RSMo, by adding thereto one new section relating to the use of hand-held electronic wireless communications devices by persons operating motor vehicles for compensation while transporting passengers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 219**, entitled:

An Act to repeal section 559.600, RSMo, and to enact in lieu thereof three new sections relating to

private probation services for misdemeanor offenders.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 324**, entitled:

An Act to repeal section 167.161, RSMo, and to enact in lieu thereof one new section relating to truant pupils.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 746**, entitled:

An Act to repeal section 443.812, RSMo, and to enact in lieu thereof one new section relating to residential mortgage loan brokers.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 194**, entitled:

An Act to repeal sections 188.027, 188.028, 188.036, 188.047, 188.052, 194.375, and 197.230, RSMo, and to enact in lieu thereof eight new sections relating to abortion, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HBs 960, 962 & 828**, entitled:

An Act to amend chapter 37, RSMo, by adding thereto one new section relating to a social innovation grant program.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 670**, entitled:

An Act to repeal section 162.720, RSMo, and to enact in lieu thereof two new sections relating to gifted

education.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 743**, entitled:

An Act to repeal sections 595.030 and 595.045, RSMo, and to enact in lieu thereof two new sections relating to governmental compensation funds, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 8**.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 2 to House Amendment No. 9, House Amendment No. 3 to House Amendment No. 9 and House Amendment No. 9, as amended.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“304.170. 1. No vehicle operated upon the highways of this state shall have a width, including load, in excess of one hundred two inches, except clearance lights, rearview mirrors or other accessories required by federal, state or city law or regulation. Provided however, a recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

2. No vehicle operated upon the interstate highway system or upon any route designated by the chief engineer of the state transportation department shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet.

3. No single motor vehicle operated upon the highways of this state shall have a length, including load, in excess of forty-five feet, except as otherwise provided in this section.

4. No bus, recreational motor vehicle or trackless trolley coach operated upon the highways of this state shall have a length in excess of forty-five feet, except that such vehicles may exceed the forty-five feet length when such excess length is caused by the projection of a front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more than one foot in the front and one foot in the rear.

The term “safety bumper” means any device which may be fitted on an existing bumper or which replaces the bumper and is so constructed, treated, or manufactured that it absorbs energy upon impact.

5. No combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the highways of this state shall have a length, including load, in excess of sixty feet; except that in order to comply with the provisions of Title 23 of the United States Code (Public Law 97-424), no combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The length of such semitrailer shall not exceed fifty-three feet.

6. In order to comply with the provisions of Title 23 of the United States Code (Public Law 97-424), no combination of truck-tractor, semitrailer and trailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to twenty-eight and one-half feet in length actually and lawfully operated on December 1, 1982, within a sixty-five foot overall length limit in any state, may continue to be operated upon the interstate highways of this state. On those primary highways not designated by the state highways and transportation commission as provided in subsection 10 of this section, no combination of truck-tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet; provided, however, the state highways and transportation commission may designate additional routes for such sixty-five foot combinations.

7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations, stinger-steered combination automobile transporters and stinger-steered combination boat transporters having a length not in excess of seventy-five feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three saddlemounted vehicles and one fullmount.

9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the interstate and designated primary highway system of this state shall have a semitrailer length in excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer length when used between the first and second semitrailer of a truck-tractor semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the B-train assembly, it shall be included in the length measurement of the semitrailer.

10. The highways and transportation commission is authorized to designate routes on the state highway system other than the interstate system over which those combinations of vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this section may be operated at a distance not to exceed ten miles from the interstate system and such routes as designated under the provisions of this subsection.

11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other combination of vehicles operated upon the primary or interstate highways of this state plus a distance of ten miles from a primary or interstate highway shall have an overall length, unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway, except the state highways and transportation commission may designate additional routes for use by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five foot saddlemount combinations. Any vehicle or combination of vehicles transporting automobiles, boats or other motor vehicles may carry a load which extends no more than three feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of vehicles.

12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural implements operating occasionally on the highways for short distances including tractor parades for fund-raising activities or special events, provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily transporting agricultural implements or implements of husbandry or road-making machinery, or road materials or towing for repair purposes vehicles that have become disabled upon the highways; or to implement dealers delivering or moving farm machinery for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

(3) Notwithstanding any other provision of law to the contrary, agricultural machinery and implements may be operated on state highways between the hours of sunset and sunrise for agricultural purposes provided such vehicles are equipped with lighting meeting the requirements of section 307.115.

13. As used in this chapter the term "implements of husbandry" means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for

transportation of such chemicals and materials.

14. Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The chief engineer of the state transportation department shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, [or] a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation or a stationary vehicle owned by a contractor or subcontractor performing work for the department of transportation displaying lighted amber or amber and white lights, **or a stationary vehicle operated by a utility worker displaying lighted amber or amber and white lights**, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An “emergency vehicle” is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting

emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550; or

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. As used in this section, the term "utility worker" means any employee while in performance of his or her job duties, including any person employed under contract of a utility that provides gas, heat, electricity, water, steam, telecommunications or cable services, or sewer services, whether privately, municipally, or cooperatively owned.

6. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

[6.] 7. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

[7.] 8. Violation of this section shall be deemed a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Bill No. 8, Page 1, Line 4, by inserting immediately prior to the phrase “304.170.” on said line the following:

“287.020. 1. The word “employee” as used in this chapter shall be construed to mean every person in the service of any employer, as defined in this chapter, under any contract of hire, express or implied, oral or written, or under any appointment or election, including executive officers of corporations. Except as otherwise provided in section 287.200, any reference to any employee who has been injured shall, when the employee is dead, also include his dependents, and other persons to whom compensation may be payable.

The word “employee” shall also include all minors who work for an employer, whether or not such minors are employed in violation of law, and all such minors are hereby made of full age for all purposes under, in connection with, or arising out of this chapter. The word “employee” shall not include an individual who is the owner, as defined in [subdivision (42) of] section 301.010, and operator of a motor vehicle which is leased or contracted with a driver to a for-hire motor carrier operating within a commercial zone as defined in section 390.020 or 390.041, or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation, or any of its subagencies. The word “employee” also shall not include any person performing services for board, lodging, aid, or sustenance received from any religious, charitable, or relief organization.

2. The word “accident” as used in this chapter shall mean an unexpected traumatic event or unusual strain identifiable by time and place of occurrence and producing at the time objective symptoms of an injury caused by a specific event during a single work shift. An injury is not compensable because work was a triggering or precipitating factor.

3. (1) In this chapter the term “injury” is hereby defined to be an injury which has arisen out of and in the course of employment. An injury by accident is compensable only if the accident was the prevailing factor in causing both the resulting medical condition and disability. “The prevailing factor” is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability.

(2) An injury shall be deemed to arise out of and in the course of the employment only if:

(a) It is reasonably apparent, upon consideration of all the circumstances, that the accident is the prevailing factor in causing the injury; and

(b) It does not come from a hazard or risk unrelated to the employment to which workers would have been equally exposed outside of and unrelated to the employment in normal nonemployment life.

(3) An injury resulting directly or indirectly from idiopathic causes is not compensable.

(4) A cardiovascular, pulmonary, respiratory, or other disease, or cerebrovascular accident or myocardial

infarction suffered by a worker is an injury only if the accident is the prevailing factor in causing the resulting medical condition.

(5) The terms “injury” and “personal injuries” shall mean violence to the physical structure of the body and to the personal property which is used to make up the physical structure of the body, such as artificial dentures, artificial limbs, glass eyes, eyeglasses, and other prostheses which are placed in or on the body to replace the physical structure and such disease or infection as naturally results therefrom. These terms shall in no case except as specifically provided in this chapter be construed to include occupational disease in any form, nor shall they be construed to include any contagious or infectious disease contracted during the course of the employment, nor shall they include death due to natural causes occurring while the worker is at work.

4. “Death” when mentioned as a basis for the right to compensation means only death resulting from such violence and its resultant effects occurring within three hundred weeks after the accident; except that in cases of occupational disease, the limitation of three hundred weeks shall not be applicable.

5. Injuries sustained in company-owned or subsidized automobiles in accidents that occur while traveling from the employee’s home to the employer’s principal place of business or from the employer’s principal place of business to the employee’s home are not compensable. The extension of premises doctrine is abrogated to the extent it extends liability for accidents that occur on property not owned or controlled by the employer even if the accident occurs on customary, approved, permitted, usual or accepted routes used by the employee to get to and from their place of employment.

6. The term “total disability” as used in this chapter shall mean inability to return to any employment and not merely mean inability to return to the employment in which the employee was engaged at the time of the accident.

7. As used in this chapter and all acts amendatory thereof, the term “commission” shall hereafter be construed as meaning and referring exclusively to the labor and industrial relations commission of Missouri, and the term “director” shall hereafter be construed as meaning the director of the department of insurance, financial institutions and professional registration of the state of Missouri or such agency of government as shall exercise the powers and duties now conferred and imposed upon the department of insurance, financial institutions and professional registration of the state of Missouri.

8. The term “division” as used in this chapter means the division of workers’ compensation of the department of labor and industrial relations of the state of Missouri.

9. For the purposes of this chapter, the term “minor” means a person who has not attained the age of eighteen years; except that, for the purpose of computing the compensation provided for in this chapter, the provisions of section 287.250 shall control.

10. In applying the provisions of this chapter, it is the intent of the legislature to reject and abrogate earlier case law interpretations on the meaning of or definition of “accident”, “occupational disease”, “arising out of”, and “in the course of the employment” to include, but not be limited to, holdings in: *Bennett v. Columbia Health Care and Rehabilitation*, 80 S.W.3d 524 (Mo.App. W.D. 2002); *Kasl v. Bristol Care, Inc.*, 984 S.W.2d 852 (Mo.banc 1999); and *Drewes v. TWA*, 984 S.W.2d 512 (Mo.banc 1999) and all cases citing, interpreting, applying, or following those cases.

11. For the purposes of this chapter, “occupational diseases due to toxic exposure” shall only include

the following: mesothelioma, asbestosis, berylliosis, coal worker's pneumoconiosis, bronchiolitis obliterans, silicosis, silicotuberculosis, manganism, acute myelogenous leukemia, and myelodysplastic syndrome.

287.040. 1. Any person who has work done under contract on or about his premises which is an operation of the usual business which he there carries on shall be deemed an employer and shall be liable under this chapter to such contractor, his subcontractors, and their employees, when injured or killed on or about the premises of the employer while doing work which is in the usual course of his business.

2. The provisions of this section shall not apply to the owner of premises upon which improvements are being erected, demolished, altered or repaired by an independent contractor but such independent contractor shall be deemed to be the employer of the employees of his subcontractors and their subcontractors when employed on or about the premises where the principal contractor is doing work.

3. In all cases mentioned in the preceding subsections, the immediate contractor or subcontractor shall be liable as an employer of the employees of his subcontractors. All persons so liable may be made parties to the proceedings on the application of any party. The liability of the immediate employer shall be primary, and that of the others secondary in their order, and any compensation paid by those secondarily liable may be recovered from those primarily liable, with attorney's fees and expenses of the suit. Such recovery may be had on motion in the original proceedings. No such employer shall be liable as in this section provided, if the employee was insured by his immediate or any intermediate employer.

4. The provisions of this section shall not apply to the relationship between a for-hire motor carrier operating within a commercial zone as defined in section 390.020 or 390.041 or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation, or any of its subagencies, and an owner, as defined in [subdivision (42) of] section 301.010, and operator of a motor vehicle.

288.035. Notwithstanding the provisions of section 288.034, in the case of an individual who is the owner, as defined in [subdivision (42) of] section 301.010, and operator of a motor vehicle which is leased or contracted with a driver to a for-hire common or contract motor vehicle carrier operating within a commercial zone as defined in section 390.020 or 390.041, or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation or any of its subagencies, such owner/operator shall not be deemed to be an employee, provided, however, such individual owner and operator shall be deemed to be in employment if the for-hire common or contract vehicle carrier is an organization described in Section 501(c)(3) of the Internal Revenue Code or any governmental entity.

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

(2) "Automobile transporter", any vehicle combination **capable of carrying cargo on the power unit and** designed and used [specifically] for the transport of assembled motor vehicles, **including truck camper units**;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between

two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) **“Backhaul”, the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route;**

(5) **“Boat transporter”, any vehicle combination capable of carrying cargo on the power unit and designed and used specifically to transport assembled boats and boat hulls. Boats may be partially disassembled to facilitate transporting;**

[(5)] (6) **“Body shop”, a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;**

[(6)] (7) **“Bus”, a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;**

[(7)] (8) **“Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;**

[(8)] (9) **“Cotton trailer”, a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;**

[(9)] (10) **“Dealer”, any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;**

[(10)] (11) **“Director” or “director of revenue”, the director of the department of revenue;**

[(11)] (12) **“Driveaway operation”:**

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person’s own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

[(12)] (13) **“Dromedary”, a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;**

[(13)] (14) **“Farm tractor”, a tractor used exclusively for agricultural purposes;**

[(14)] (15) **“Fleet”, any group of ten or more motor vehicles owned by the same owner;**

[(15)] (16) **“Fleet vehicle”, a motor vehicle which is included as part of a fleet;**

[(16)] (17) **“Fullmount”, a vehicle mounted completely on the frame of either the first or last vehicle**

in a saddlemount combination;

[(17)] **(18)** “Gross weight”, the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

[(18)] **(19)** “Hail-damaged vehicle”, any vehicle, the body of which has become dented as the result of the impact of hail;

[(19)] **(20)** “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

[(20)] **(21)** “Improved highway”, a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

[(21)] **(22)** “Intersecting highway”, any highway which joins another, whether or not it crosses the same;

[(22)] **(23)** “Junk vehicle”, a vehicle which:

(a) Is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap; or

(b) Has been designated as junk or a substantially equivalent designation by this state or any other state;

[(23)] **(24)** “Kit vehicle”, a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer’s statement of origin;

[(24)] **(25)** “Land improvement contractors’ commercial motor vehicle”, any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers’ maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

[(25)] **(26)** “Local commercial motor vehicle”, a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person’s control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

[(26)] **(27)** “Local log truck”, a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense

highways described in 23 U.S.C. Section 103, as amended, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

[(27)] **(28)** “Local log truck tractor”, a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in [Title 23, Section 103(e) of the United States Code] **23 U.S.C. Section 103, as amended**, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

[(28)] **(29)** “Local transit bus”, a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

[(29)] **(30)** “Log truck”, a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

[(30)] **(31)** “Major component parts”, the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

[(31)] **(32)** “Manufacturer”, any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

[(32)] **(33)** “Motor change vehicle”, a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

[(33)] **(34)** “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

[(34)] **(35)** “Motor vehicle primarily for business use”, any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

[(35)] (36) “Motorcycle”, a motor vehicle operated on two wheels;

[(36)] (37) “Motorized bicycle”, any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

[(37)] (38) “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

[(38)] (39) “Municipality”, any city, town or village, whether incorporated or not;

[(39)] (40) “Nonresident”, a resident of a state or country other than the state of Missouri;

[(40)] (41) “Non-USA-std motor vehicle”, a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

[(41)] (42) “Operator”, any person who operates or drives a motor vehicle;

[(42)] (43) “Owner”, any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner [for the purpose of this law];

[(43)] (44) “Public garage”, a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

[(44)] (45) “Rebuilder”, a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

[(45)] (46) “Reconstructed motor vehicle”, a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

[(46)] (47) “Recreational motor vehicle”, any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

[(47)] (48) “Recreational off-highway vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails;

[(48)] (49) “Rollback or car carrier”, any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

[(49)] **(50)** “Saddlemount combination”, a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The “saddle” is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a “double saddlemount combination”. When three vehicles are towed in this manner, the combination is called a “triple saddlemount combination”;

[(50)] **(51)** “Salvage dealer and dismantler”, a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

[(51)] **(52)** “Salvage vehicle”, a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer’s model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words “salvage/abandoned property”. The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, “fair market value” means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

[(52)] **(53)** “School bus”, any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

[(53)] **(54)** “Scrap processor”, a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

[(54)] **(55)** “Shuttle bus”, a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

[(55)] (56) “Special mobile equipment”, every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

[(56)] (57) “Specially constructed motor vehicle”, a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

[(57)] (58) “Stinger-steered combination”, a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

[(58)] (59) “Tandem axle”, a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

[(60)] (60) “Towaway trailer transporter combination”, a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers;

[(59)] (61) “Tractor”, “truck tractor” or “truck-tractor”, a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

[(60)] (62) “Trailer”, any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers as defined in [subdivision (8) of] this section and shall not include manufactured homes as defined in section 700.010;

[(63)] (63) “Trailer transporter towing unit”, a power unit that is not used to carry property when operating in a towaway trailer transporter combination;

[(61)] (64) “Truck”, a motor vehicle designed, used, or maintained for the transportation of property;

[(62)] (65) “Truck-tractor semitrailer-semitrailer”, a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

[(63)] (66) “Truck-trailer boat transporter combination”, a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

[(64)] (67) “Used parts dealer”, a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. Business does not include isolated sales at a swap meet of less than three days;

[(65)] (68) “Utility vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

[(66)] (69) “Vanpool”, any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined [by subdivisions (6) and (7) of] **in** this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

[(67)] (70) “Vehicle”, any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

[(68)] (71) “Wrecker” or “tow truck”, any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

[(69)] (72) “Wrecker or towing service”, the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

301.031. Notwithstanding the twenty-five mile operations limit imposed in [subdivision (24) of] section 301.010 upon local commercial motor vehicles, a local commercial motor vehicle licensed for forty-eight thousand pounds gross weight and above may be used to haul solid waste as defined in section 260.200 up to sixty miles from the municipality in which its operations are otherwise confined and still be eligible to register as a local commercial motor vehicle.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the purchaser shall forward to the director of revenue within ten days the certificate of ownership or salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle. On vehicles purchased during a year that is no more than six years after the manufacturer’s model year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title. On vehicles purchased during a year that is more than six years after the manufacturer’s model year designation for such vehicle, then application for a salvage title shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to 301.221, shall forward the certificate to the director of revenue within ten days, with the notation

of the date sold for destruction and the name of the purchaser clearly shown on the face of the certificate.

2. Whenever a vehicle is classified as “junk”, as defined in section 301.010, the purchaser may forward to the director of revenue a properly completed application for a junking certificate as well as the salvage certificate of title or certificate of ownership and the director shall issue a negotiable junking certificate to the purchaser of the vehicle. The director may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the current model year who has a bill of sale for said vehicle but does not possess a certificate of ownership, provided no claim of theft has been made on the vehicle and the highway patrol has by letter stated the vehicle is not listed as stolen after checking the registration number through its nationwide computer system. Such junking certificate may be granted within thirty days of the submission of a request. A junking certificate shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap, or junk.

3. For any vehicle issued a junking certificate or such similar document or classification pursuant to the laws of another state, regardless of whether such designation has been subsequently changed by law in any other state, the department shall only issue a junking certificate, and a salvage certificate of title or original certificate of ownership shall not thereafter be issued for such vehicle. Notwithstanding the provisions of this subsection, if the vehicle has not previously been classified as a junk vehicle, the applicant making the original junking certification application shall, within ninety days, be allowed to rescind his application for a junking certificate by surrendering the junking certificate and apply for a salvage certificate of title in his name. The seller of a vehicle for which a junking certificate has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof without, at the time of such acquisition, receiving the original certificate of ownership or salvage certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a licensee under sections 301.219 to 301.221.

5. All titles and certificates required to be received by scrap metal operators from nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the receipt of the vehicle or parts.

6. The scrap metal operator shall keep a record, for three years, of the seller’s name and address, the salvage business license number of the licensee, date of purchase, and any vehicle or parts identification numbers open for inspection as provided in section 301.225.

7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title on the back thereof.

8. Notwithstanding the provisions of subsection 1 of this section, an insurance company which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage certificate of title without the payment of any fee upon proper application within thirty days after settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to [subdivision (51) of] section 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway patrol, or other law enforcement agency authorized by the director of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190.

Upon receipt of title application, applicable fee, the completed inspection, and the return of any previously issued negotiable salvage certificate, the director shall issue an original title with no salvage or prior salvage designation. Upon the issuance of an original title the director shall remove any indication of the negotiable salvage title previously issued to the insurance company from the department's electronic records.

9. Notwithstanding subsection 4 of this section or any other provision of the law to the contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may purchase or acquire such motor vehicle or parts without receiving the original certificate of ownership, salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided the scrap metal operator verifies with the department of revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien and the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding certificates of title or ownership for such motor vehicles as required by subsection 5 of this section, the scrap metal operator shall forward a copy of the seller's state identification **card** along with a bill of sale to the department of revenue. The bill of sale form shall be designed by the director and such form shall include, but not be limited to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not subject to any recorded security interest or lien, and a certification by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the information required by this subsection, the department of revenue shall cancel any certificate of title or ownership and registration for the motor vehicle. If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator shall not be required to verify with the department of revenue whether the motor vehicle is subject to any recorded security interests or liens. As used in this subsection, the term "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best use is for scrap purposes. The director of the department of revenue is directed to promulgate rules and regulations to implement and administer the provisions of this section, including but not limited to, the development of a uniform bill of sale. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

301.550. 1. The definitions contained in section 301.010 shall apply to sections 301.550 to 301.573, and in addition as used in sections 301.550 to 301.573, the following terms mean:

(1) "Boat dealer", any natural person, partnership, or corporation who, for a commission or with an intent to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents with the option to purchase, offers, attempts to sell, or negotiates the sale of any vessel or vessel trailer, whether or not the vessel or vessel trailer is owned by such person. The sale of six or more vessels or vessel trailers or both in any calendar year shall be required as evidence that such person is eligible for licensure as a boat dealer under sections 301.550 to 301.573. The boat dealer shall demonstrate eligibility for renewal of his license by selling six or more vessels or vessel trailers or both in the prior calendar year while licensed as a boat dealer pursuant to sections 301.550 to 301.573;

(2) “Boat manufacturer”, any person engaged in the manufacturing, assembling or modification of new vessels or vessel trailers as a regular business, including a person, partnership or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of vessels or vessel trailers;

(3) “Department”, the Missouri department of revenue;

(4) “Director”, the director of the Missouri department of revenue;

(5) “Emergency vehicles”, motor vehicles used as ambulances, law enforcement vehicles, and fire fighting and assistance vehicles;

(6) “Manufacturer”, any person engaged in the manufacturing, assembling or modification of new motor vehicles or trailers as a regular business, including a person, partnership or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of motor vehicles or accessories for motor vehicles;

(7) “Motor vehicle broker”, a person who holds himself out through solicitation, advertisement, or otherwise as one who offers to arrange a transaction involving the retail sale of a motor vehicle, and who is not:

(a) A dealer, or any agent, or any employee of a dealer when acting on behalf of a dealer;

(b) A manufacturer, or any agent, or employee of a manufacturer when acting on behalf of a manufacturer;

(c) The owner of the vehicle involved in the transaction; or

(d) A public motor vehicle auction or wholesale motor vehicle auction where buyers are licensed dealers in this or any other jurisdiction;

(8) “Motor vehicle dealer” or “dealer”, any person who, for commission or with an intent to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents with the option to purchase, or who offers or attempts to sell or negotiates the sale of motor vehicles or trailers whether or not the motor vehicles or trailers are owned by such person; provided, however, an individual auctioneer or auction conducted by an auctioneer licensed pursuant to chapter 343 shall not be included within the definition of a motor vehicle dealer. The sale of six or more motor vehicles or trailers in any calendar year shall be required as evidence that such person is engaged in the motor vehicle business and is eligible for licensure as a motor vehicle dealer under sections 301.550 to 301.573. Any motor vehicle dealer licensed before August 28, 2007, shall be required to meet the minimum calendar year sales of six or more motor vehicles provided the dealer can prove the business achieved, cumulatively, six or more sales per year for the preceding twenty-four months in business; or if the dealer has not been in business for twenty-four months, the cumulative equivalent of one sale every two months for the months the dealer has been in business before August 28, 2007. Any licensed motor vehicle dealer failing to meet the minimum vehicle sales requirements as referenced in this subsection shall not be qualified to renew his or her license for one year. Applicants who reapply after the one-year period shall meet the requirement of six sales per year;

(9) “New motor vehicle”, any motor vehicle being transferred for the first time from a manufacturer, distributor or new vehicle dealer which has not been registered or titled in this state or any other state and which is offered for sale, barter or exchange by a dealer who is franchised to sell, barter or exchange that

particular make of motor vehicle. The term “new motor vehicle” shall not include manufactured homes, as defined in section 700.010;

(10) “New motor vehicle franchise dealer”, any motor vehicle dealer who has been franchised to deal in a certain make of motor vehicle by the manufacturer or distributor of that make and motor vehicle and who may, in line with conducting his business as a franchise dealer, sell, barter or exchange used motor vehicles;

(11) “Person” includes an individual, a partnership, corporation, an unincorporated society or association, joint venture or any other entity;

(12) “Powersport dealer”, any motor vehicle dealer who sells, either pursuant to a franchise agreement or otherwise, primarily motor vehicles including but not limited to motorcycles, all-terrain vehicles, and personal watercraft, as those terms are defined in this chapter and chapter 306;

(13) “Public motor vehicle auction”, any person, firm or corporation who takes possession of a motor vehicle whether by consignment, bailment or any other arrangement, except by title, for the purpose of selling motor vehicles at a public auction by a licensed auctioneer;

(14) “Recreational motor vehicle dealer”, a dealer of new or used motor vehicles designed, constructed or substantially modified for use as temporary housing quarters, including sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle;

(15) “Storage lot”, an area within the same city or county where a dealer may store excess vehicle inventory;

(16) “Trailer dealer”, any person selling, either exclusively or otherwise, trailers as defined in [subdivision (60) of] section 301.010. A trailer dealer may acquire a motor vehicle for resale only as a trade-in for a trailer. Notwithstanding the provisions of [subdivision (11) of] section 301.010 and section 301.069, trailer dealers may purchase one driveaway license plate to display such motor vehicle for demonstration purposes. The sale of six or more trailers in any calendar year shall be required as evidence that such person is engaged in the trailer business and is eligible for licensure as a trailer dealer under sections 301.550 to 301.573. Any trailer dealer licensed before August 28, 2007, shall be required to meet the minimum calendar year sales of six or more trailers provided the dealer can prove the business achieved, cumulatively, six or more sales per year for the preceding twenty-four months in business; or if the dealer has not been in business for twenty-four months, the cumulative equivalent of one sale every two months for the months the dealer has been in business before August 28, 2007. Any licensed trailer dealer failing to meet the minimum trailer and vehicle sales requirements as referenced in this subsection shall not be qualified to renew his or her license for one year. Applicants who reapply after the one-year period shall meet the requirement of six sales per year;

(17) “Used motor vehicle”, any motor vehicle which is not a new motor vehicle, as defined in sections 301.550 to 301.573, and which has been sold, bartered, exchanged or given away or which may have had a title issued in this state or any other state, or a motor vehicle so used as to be what is commonly known as a secondhand motor vehicle. In the event of an assignment of the statement of origin from an original franchise dealer to any individual or other motor vehicle dealer other than a new motor vehicle franchise dealer of the same make, the vehicle so assigned shall be deemed to be a used motor vehicle and a certificate

of ownership shall be obtained in the assignee's name. The term "used motor vehicle" shall not include manufactured homes, as defined in section 700.010;

(18) "Used motor vehicle dealer", any motor vehicle dealer who is not a new motor vehicle franchise dealer;

(19) "Vessel", every boat and watercraft defined as a vessel in section 306.010;

(20) "Vessel trailer", any trailer, as defined by section 301.010 which is designed and manufactured for the purposes of transporting vessels;

(21) "Wholesale motor vehicle auction", any person, firm or corporation in the business of providing auction services solely in wholesale transactions at its established place of business in which the purchasers are motor vehicle dealers licensed by this or any other jurisdiction, and which neither buys, sells nor owns the motor vehicles it auctions in the ordinary course of its business. Except as required by law with regard to the auction sale of a government-owned motor vehicle, a wholesale motor vehicle auction shall not provide auction services in connection with the retail sale of a motor vehicle;

(22) "Wholesale motor vehicle dealer", a motor vehicle dealer who sells motor vehicles only to other new motor vehicle franchise dealers or used motor vehicle dealers or via auctions limited to other dealers of any class.

2. For purposes of sections 301.550 to 301.573, neither the term motor vehicle nor the term trailer shall include manufactured homes, as defined in section 700.010.

3. Dealers shall be divided into classes as follows:

(1) Boat dealers;

(2) Franchised new motor vehicle dealers;

(3) Used motor vehicle dealers;

(4) Wholesale motor vehicle dealers;

(5) Recreational motor vehicle dealers;

(6) Historic motor vehicle dealers;

(7) Classic motor vehicle dealers;

(8) Powersport dealers; and

(9) Trailer dealers."; and

Further amend said amendment, Page 1, Section 304.170, Lines 11 to 16, by deleting all of said lines and inserting in lieu thereof the following:

"2. No vehicle operated upon the interstate highway system or upon any route designated by the [chief engineer of the state transportation department] **state highways and transportation commission** shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet."; and

Further amend said amendment, Page 2, Section 304.170, Line 12 to Page 3, Line 32, by deleting all of said lines and inserting in lieu thereof the following:

“highways not designated by the state highways and transportation commission as provided in subsection [10] **11** of this section, no combination of truck-tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet; provided, however, the [state highways and transportation] commission may designate additional routes for such sixty-five foot combinations.

7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations, [stinger-steered combination automobile transporters] and stinger-steered combination boat transporters having a length not in excess of seventy-five feet may be operated on the interstate highways of this state and such other highways as may be designated by the [highways and transportation] commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered [combinations] **combination boat transporters** shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

(1) Stinger-steered combination automobile transporters having a length not in excess of eighty feet may be operated on the interstate highways of this state and such other highways as may be designated by the commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding stinger-steered automobile combination transporters are exclusive of front and rear overhang, which shall be no greater than a four-foot front overhang and no greater than a six-foot rear overhang.

(2) Automobile transporters may transport cargo or general freight on a backhaul, as long as in compliance with weight limitations for a truck-tractor and semitrailer combination as outlined in section 304.180.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the [highways and transportation] commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three saddlemounted vehicles and one fullmount.

9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the interstate and designated primary highway system of this state shall have a semitrailer length in excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer length when used between the first and second semitrailer of a truck-tractor semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the B-train assembly, it shall be included in the length measurement of the semitrailer.

10. No towaway trailer transporter combination vehicles operated upon the interstate and designated primary highway system of this state shall have an overall length of more than eighty-two feet.

11. The [highways and transportation] commission is authorized to designate routes on the state highway system other than the interstate system over which those combinations of vehicles of the lengths specified in subsections 5, 6, 7, 8, [and] 9, **and 10** of this section may be operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8, [and] 9, **and 10** of this section may be operated at a distance not to exceed ten miles from the interstate system and such routes as designated under the provisions of this subsection.

[11.] **12.** Except as provided in subsections 5, 6, 7, 8, 9, [and] 10, **and 11** of this section, no other combination of vehicles operated upon the primary or interstate highways of this state plus a distance of ten miles from a primary or interstate highway shall have an overall length, unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway[, except the state highways and transportation commission may designate additional routes for use by sixty-five foot combinations, seventy-five foot stinger-steered or seventy-five foot saddlemount combinations. Any vehicle or combination of vehicles transporting automobiles, boats or other motor vehicles may carry a load which extends no more than three feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of vehicles].

[12.] **13.** (1) Except as hereinafter provided, these restrictions shall not apply to agricultural implements operating occasionally on the highways for short distances including tractor parades for fund-raising activities or special events, provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily transporting agricultural implements or implements of husbandry or road-making machinery, or road materials or towing for repair purposes vehicles that have become disabled upon the highways; or to implement dealers delivering or moving farm machinery for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

[13.] **14.** As used in this chapter the term “implements of husbandry” means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

[14.] **15.** Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The [chief engineer of the state transportation department] **commission** shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or

operated on any highway of this state having a greater weight than the vehicle manufacturer's rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term "tandem axle" shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An "axle load" is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes

of any group of two or more consecutive

axles, measured to the nearest foot,

except where indicated otherwise

Maximum load in pounds

feet	2 axles	3 axles	4 axles	5 axles	6 axles
4	34,000				
5	34,000				
6	34,000				
7	34,000				
8	34,000	34,000			
More than 8	38,000	42,000			
9	39,000	42,500			
10	40,000	43,500			
11	40,000	44,000			
12	40,000	45,000	50,000		
13	40,000	45,500	50,500		
14	40,000	46,500	51,500		
15	40,000	47,000	52,000		
16	40,000	48,000	52,500	58,000	

17	40,000	48,500	53,500	58,500	
18	40,000	49,500	54,000	59,000	
19	40,000	50,000	54,500	60,000	
20	40,000	51,000	55,500	60,500	66,000
21	40,000	51,500	56,000	61,000	66,500
22	40,000	52,500	56,500	61,500	67,000
23	40,000	53,000	57,500	62,500	68,000
24	40,000	54,000	58,000	63,000	68,500
25	40,000	54,500	58,500	63,500	69,000
26	40,000	55,500	59,500	64,000	69,500
27	40,000	56,000	60,000	65,000	70,000
28	40,000	57,000	60,500	65,500	71,000
29	40,000	57,500	61,500	66,000	71,500
30	40,000	58,500	62,000	66,500	72,000
31	40,000	59,000	62,500	67,500	72,500
32	40,000	60,000	63,500	68,000	73,000
33	40,000	60,000	64,000	68,500	74,000
34	40,000	60,000	64,500	69,000	74,500
35	40,000	60,000	65,500	70,000	75,000
36		60,000	66,000	70,500	75,500
37		60,000	66,500	71,000	76,000
38		60,000	67,500	72,000	77,000
39		60,000	68,000	72,500	77,500
40		60,000	68,500	73,000	78,000
41		60,000	69,500	73,500	78,500
42		60,000	70,000	74,000	79,000
43		60,000	70,500	75,000	80,000
44		60,000	71,500	75,500	80,000
45		60,000	72,000	76,000	80,000
46		60,000	72,500	76,500	80,000

47	60,000	73,500	77,500	80,000
48	60,000	74,000	78,000	80,000
49	60,000	74,500	78,500	80,000
50	60,000	75,500	79,000	80,000
51	60,000	76,000	80,000	80,000
52	60,000	76,500	80,000	80,000
53	60,000	77,500	80,000	80,000
54	60,000	78,000	80,000	80,000
55	60,000	78,500	80,000	80,000
56	60,000	79,500	80,000	80,000
57	60,000	80,000	80,000	80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the [state highways and transportation] commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of [Section 127 of Title 23 of the United States Code] **P.L. 97-424 codified in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.**

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsections 9, [and] 10, **12, and 13** of this section.

7. Notwithstanding any provision of this section to the contrary, the [department of transportation] **commission** shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The [department of transportation] **commission** shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk, from a farm to a processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

10. Notwithstanding any provision of this section or any other law to the contrary, any vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may be as much as, but not exceeding, ten percent over the maximum weight limitation allowable under subsection 3 of this section while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

11. Notwithstanding any provision of this section or any other law to the contrary, the [department of transportation] **commission** shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the **department of transportation** motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The [department of transportation] **commission** shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

12. **Notwithstanding any provision of this section or any other law to the contrary, emergency vehicles designed to be used under emergency conditions to transport personnel and equipment and to mitigate hazardous situations may have a maximum gross vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear drive steer axle.**

13. **Notwithstanding any provision of this section or any other law to the contrary, a vehicle operated by an engine fueled primarily by natural gas may operate upon the public highways of this**

state in excess of the vehicle weight limits set forth in this section by an amount that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system. In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas engine exceed eighty-two thousand pounds.”; and

Further amend said bill, Page 2, Section 307.175, Line 23, by inserting after all of said section and line the following:

“407.816. 1. As used in subdivision (7) of section 407.815, the term “motor vehicle” shall not include “trailer” as such term is defined in [subdivision (60) of] section 301.010.

2. Prior to August 1, 2002, the provisions of section 407.817, subdivisions (13), (17) and (18) of section 407.825 and section 407.826 shall not apply to recreational vehicle dealers or manufacturers.

3. As of August 1, 2002, the term “motor vehicle” as used in sections 407.810 to 407.835 shall not apply to recreational vehicles as defined in section 407.1320.”; and

Further amend said bill, Page 2, Section B, Line 2, by deleting the phrase “section A” and inserting in lieu thereof the phrase “the repeal and reenactment of section 307.175 of this act”; and

Further amend said bill, page, and section, Line 4, by deleting the phrase “section A” and inserting in lieu thereof the phrase “the repeal and reenactment of section 307.175 of this act”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“304.170. 1. No vehicle operated upon the highways of this state shall have a width, including load, in excess of one hundred two inches, except clearance lights, rearview mirrors or other accessories required by federal, state or city law or regulation. Provided however, a recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

2. No vehicle operated upon the interstate highway system or upon any route designated by the chief engineer of the state transportation department shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet.

3. No single motor vehicle operated upon the highways of this state shall have a length, including load, in excess of forty-five feet, except as otherwise provided in this section.

4. No bus, recreational motor vehicle or trackless trolley coach operated upon the highways of this state shall have a length in excess of forty-five feet, except that such vehicles may exceed the forty-five feet length when such excess length is caused by the projection of a front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more than one foot in the front and one foot in the rear. **Notwithstanding**

any provision of this section to the contrary, an articulated bus, comprised of two or more sections connected by a flexible joint or other mechanism, may be up to sixty feet in length, not including safety bumpers which may extend one foot in front and one foot in the rear, and not including bicycle storage racks which may extend over the safety bumper by up to five feet when in the down position transporting a bicycle. The term “safety bumper” means any device which may be fitted on an existing bumper or which replaces the bumper and is so constructed, treated, or manufactured that it absorbs energy upon impact.

5. No combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the highways of this state shall have a length, including load, in excess of sixty feet; except that in order to comply with the provisions of **Pub. L. 97-424 codified in Title 23 of the United States Code [(Public Law 97-424)] (23 U.S.C. Section 101 et al.), as amended**, no combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The length of such semitrailer shall not exceed fifty-three feet.

6. In order to comply with the provisions of **Pub. L. 97-424 codified in Title 23 of the United States Code [(Public Law 97-424)] (23 U.S.C. Section 101 et al.), as amended**, no combination of truck-tractor, semitrailer and trailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to twenty-eight and one-half feet in length actually and lawfully operated on December 1, 1982, within a sixty-five foot overall length limit in any state, may continue to be operated upon the interstate highways of this state. On those primary highways not designated by the state highways and transportation commission as provided in subsection 10 of this section, no combination of truck-tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet; provided, however, the state highways and transportation commission may designate additional routes for such sixty-five foot combinations.

7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations, stinger-steered combination automobile transporters and stinger-steered combination boat transporters having a length not in excess of seventy-five feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three saddlemounted vehicles and one fullmount.

9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the interstate and designated primary highway system of this state shall have a semitrailer length in excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer length when used between the first and second semitrailer of a truck-tractor semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the B-train assembly, it shall be included in the length measurement of the semitrailer.

10. The highways and transportation commission is authorized to designate routes on the state highway system other than the interstate system over which those combinations of vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this section may be operated at a distance not to exceed ten miles from the interstate system and such routes as designated under the provisions of this subsection.

11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other combination of vehicles operated upon the primary or interstate highways of this state plus a distance of ten miles from a primary or interstate highway shall have an overall length, unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway, except the state highways and transportation commission may designate additional routes for use by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five foot saddlemount combinations. Any vehicle or combination of vehicles transporting automobiles, boats or other motor vehicles may carry a load which extends no more than three feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of vehicles.

12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural implements operating occasionally on the highways for short distances including tractor parades for fund-raising activities or special events, provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily transporting agricultural implements or implements of husbandry or road-making machinery, or road materials or towing for repair purposes vehicles that have become disabled upon the highways; or to implement dealers delivering or moving farm machinery for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

13. As used in this chapter the term "implements of husbandry" means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

14. Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires.

Such units shall observe all axle weight limits. The chief engineer of the state transportation department shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person’s control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **who is younger than twenty-one years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. **Every person twenty-one years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion. Every person twenty-one years of age or older operating any motorcycle or motortricycle who has neither possessed his or her motorcycle license or motorcycle endorsement for a minimum period of two years nor completed a motorcycle safety education course approved pursuant to sections 302.133 to 302.137 shall wear protective headgear at all times the vehicle is in motion.** The protective headgear shall meet reasonable standards and specifications established by the director. **No person shall be stopped, inspected, or detained solely to determine compliance with this subsection.**

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction

for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.026. 1. Any qualified motorcycle operator who is twenty-one years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she has first-party insurance coverage and has completed a motorcycle safety education course approved pursuant to sections 302.133 to 302.137 or possessed his or her motorcycle license or motorcycle endorsement for a minimum period of two years. In addition to maintaining proof of financial responsibility in accordance with chapter 303, any such qualified motorcycle operator who desires to operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear shall be covered by a health insurance policy.

2. Proof of coverage required by subsection 1 of this section shall be provided to law enforcement, upon request, by showing documentation indicating the qualified operator has the insurance coverage required by this section. The term “health benefit plan” as used in this section shall have the same meaning assigned to it in section 376.1350.

304.005. 1. As used in this section, the term “autocycle” means a three-wheeled motor vehicle [on] which the drivers and passengers ride in a **partially or** completely enclosed[, tandem] **non-straddle** seating area [that is equipped with air bag protection, a roll cage, safety belts for each occupant, and antilock brakes and], that is designed to be controlled with a steering wheel and pedals, **and that has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or Federal Motorcycle Safety Standards.**

2. Notwithstanding subsection 2 of section 302.020, a person operating or riding in an autocycle shall not be required to wear protective headgear if the vehicle is equipped with a roof that meets or exceeds the standards established for protective headgear.

3. No person shall operate an autocycle on any highway or street in this state unless the person has a valid driver’s license. The operator of an autocycle, however, shall not be required to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340.”; and

Further amend said bill, Page 2, Section 307.175, Line 23, by inserting immediately after all of said section and line the following:

“476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to

section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation. **Individual political subdivisions, including counties and municipalities, shall be prohibited from imposing a fine for any violation in excess of the fine specified for the violation on the schedule of fines established and maintained by the supreme court under this subsection.**

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided by law. By paying the fine and costs, the person also consents to attendance either online or in person at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

- (1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or less, traveling on three, four or more nonhighway tires;

(2) “Automobile transporter”, any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) “Axle load”, the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) “Boat transporter”, any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) “Body shop”, a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) “Bus”, a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) “Cotton trailer”, a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) “Dealer”, any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) “Director” or “director of revenue”, the director of the department of revenue;

(11) “Driveaway operation”:

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person’s own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) “Dromedary”, a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) “Farm tractor”, a tractor used exclusively for agricultural purposes;

(14) “Fleet”, any group of ten or more motor vehicles owned by the same owner;

(15) “Fleet vehicle”, a motor vehicle which is included as part of a fleet;

(16) “Fullmount”, a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) “Gross weight”, the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) “Hail-damaged vehicle”, any vehicle, the body of which has become dented as the result of the

impact of hail;

(19) “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) “Improved highway”, a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) “Intersecting highway”, any highway which joins another, whether or not it crosses the same;

(22) “Junk vehicle”, a vehicle which:

(a) Is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap; or

(b) Has been designated as junk or a substantially equivalent designation by this state or any other state;

(23) “Kit vehicle”, a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer’s statement of origin;

(24) “Land improvement contractors’ commercial motor vehicle”, any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers’ maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) “Local commercial motor vehicle”, a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person’s control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) “Local log truck”, a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated [solely] at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, **or outside the one-hundred-mile radius from such site with an extended distance local log truck permit**, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local

log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) “Local log truck tractor”, a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated [solely] at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code **or outside the one-hundred-mile radius from such site with an extended distance local log truck permit**, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

(28) “Local transit bus”, a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) “Log truck”, a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) “Major component parts”, the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) “Manufacturer”, any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) “Motor change vehicle”, a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(33) “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(34) “Motor vehicle primarily for business use”, any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(35) “Motorcycle”, a motor vehicle operated on two wheels;

(36) “Motorized bicycle”, any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three

gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(37) “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(38) “Municipality”, any city, town or village, whether incorporated or not;

(39) “Nonresident”, a resident of a state or country other than the state of Missouri;

(40) “Non-USA-std motor vehicle”, a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(41) “Operator”, any person who operates or drives a motor vehicle;

(42) “Owner”, any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(43) “Public garage”, a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(44) “Rebuilder”, a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(45) “Reconstructed motor vehicle”, a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(46) “Recreational motor vehicle”, any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(47) “Recreational off-highway vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails;

(48) “Rollback or car carrier”, any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(49) “Saddlemount combination”, a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The “saddle” is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are

towed in this manner the combination is called a “double saddlemount combination”. When three vehicles are towed in this manner, the combination is called a “triple saddlemount combination”;

(50) “Salvage dealer and dismantler”, a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(51) “Salvage vehicle”, a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer’s model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words “salvage/abandoned property”. The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, “fair market value” means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(52) “School bus”, any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(53) “Scrap processor”, a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

(54) “Shuttle bus”, a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(55) “Special mobile equipment”, every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing

equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(56) “Specially constructed motor vehicle”, a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(57) “Stinger-steered combination”, a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(58) “Tandem axle”, a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(59) “Tractor”, “truck tractor” or “truck-tractor”, a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(60) “Trailer”, any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010;

(61) “Truck”, a motor vehicle designed, used, or maintained for the transportation of property;

(62) “Truck-tractor semitrailer-semitrailer”, a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

(63) “Truck-trailer boat transporter combination”, a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(64) “Used parts dealer”, a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. Business does not include isolated sales at a swap meet of less than three days;

(65) “Utility vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

(66) “Vanpool”, any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of

employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined by subdivisions (6) and (7) of this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

(67) “Vehicle”, any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

(68) “Wrecker” or “tow truck”, any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

(69) “Wrecker or towing service”, the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

301.062. 1. The annual registration fee for a local log truck, registered pursuant to this chapter, is three hundred dollars.

2. A local log truck may receive an extended distance local log truck permit for an additional fee of three hundred dollars. A local log truck with an extended distance local log truck permit shall be allowed to transport harvested or processed forest products outside of the one-hundred-mile radius from the forested site at the weight limits for commercial vehicles specified in section 304.180. For the purposes of this section, “processed forest products” shall mean wood products that are produced from the initial processing of a round log and have received no additional manufacturing or packaging to prepare the material for any retail market including, but not limited to, sawdust, wood chips, bark, slabs, and green square edged lumber products.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“229.150. 1. All driveways or crossings over ditches connecting highways with the private property shall be made under the supervision of the **road** overseer or commissioners of the road districts.

2. [Any] **No** person or persons [who] shall willfully or knowingly obstruct or damage any public road by obstructing the side or cross drainage or ditches thereof, or by turning water upon such road or right-of-way, or by throwing or depositing brush, trees, stumps, logs, or any refuse or debris whatsoever, in said road, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge or erecting any advertising sign within the lines established for such road, or by changing the location thereof, or shall obstruct **or damage** said road, highway, or drains in any other manner whatsoever[, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than five dollars nor more than two hundred dollars, or by imprisonment in the county jail for not exceeding six

months, or by both such fine and imprisonment].

3. The road overseer of any district, or county highway engineer, who finds any road **damaged or obstructed as above specified, [shall] may** notify the [person] **landowner** violating the provisions of this section, [verbally or] in writing, to remove such obstruction, **to repair such damage in a manner approved by the road overseer or county highway engineer making the request, or to pay the reasonable cost of such removal or repair.** [Within ten days after being notified, he shall pay the sum of five dollars for each and every day after the tenth day if such obstruction is maintained or permitted to remain; such fine to be recovered by suit brought by the road overseer, in the name of the road district, in any court of competent jurisdiction] **If the landowner fails to remove any obstruction, make any repairs, or remit any payment of costs as requested within thirty days, the road overseer or county highway engineer may petition the associate circuit court of the county in which the land is located to authorize the overseer or engineer or an agent or employee thereof, to enter the landowner's land to remove the obstruction or to repair the damage, in order to restore the roadway or drainage ditch to a condition substantially the same as the adjacent roadways and drainage ditches. Such entry on the landowner's lands shall be limited to the extent necessary to repair the roadway or drainage ditch, and shall constitute no cause of action for trespass. The petition shall include an estimate of the costs.**

4. If the court enters a judgment granting the petition and authorizing the actions requested therein, the judgment shall include an award for the reasonable cost of removal or repair, court costs, and reasonable attorney's fees, and shall become a lien on such lands, and shall be collected as state and county taxes are collected by law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application, and proof of insurance as required by section 303.026.

2. Notwithstanding the provisions of subsection 1 of this section and the provisions of section 301.020 to the contrary, beginning January 1, 2018, the director of revenue shall provide owners of motor vehicles other than commercial motor vehicles licensed in excess of fifty-four thousand pounds

gross weight, the option of a three-year registration when the vehicle would be ineligible for a biennial registration but eligible for an annual registration under subsection 1 of this section, subject to the following requirements:

(1) The fee collected at the time of three-year registration shall include the biennial registration fee plus a pro rata amount for the additional twelve months of the three-year registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the two preceding years that no such taxes were due as set forth under section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application, and proof of insurance as required by section 303.026.

3. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

[3.] **4.** The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration [must] **shall** be maintained for the full twenty-four month period.”;and

Further amend said bill, Page 2, Section B, Lines 1 to 5, by removing all of said section and inserting in lieu thereof the following:

“Section B. Because of the need to protect lives on our roads and highways, section 307.175 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 307.175 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to Senate Bill No. 8, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed

by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, or a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation or a stationary vehicle owned by a contractor or subcontractor performing work for the department of transportation displaying lighted amber, [or] amber and white lights, **or red and blue lights, or a stationary vehicle operated by a utility worker, as defined in section 565.081, displaying lighted amber or amber and white lights**, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An “emergency vehicle” is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee’s official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant

to the provisions of sections 260.500 to 260.550; or

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor.

307.005. For purposes of this chapter, a lamp, light, or other piece of lighting equipment”; and

Further amend said amendment and page, Line 6, by inserting after all of said line the following:

“Further amend said bill and page, Section 307.175, Line 12, by deleting all of said line and inserting in lieu thereof the following:

“or rotating amber or white lights, [but amber or white lights shall be used only] **or red or blue lights from dusk to dawn**”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“307.005. For purposes of this chapter, a lamp, light, or other piece of lighting equipment consisting of multiple light-emitting diodes shall be deemed to be operating properly so long as not less than seventy-five percent of the light-emitting diodes are operating properly.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to Senate Bill No. 8, Page 2, Line 15, by inserting immediately after said line the following:

“Further amend said bill, Page 2, Section 307.175, Line 23, by inserting immediately after said section and line the following:

“574.010. 1. A person commits the offense of peace disturbance if he or she:

(1) Unreasonably and knowingly disturbs or alarms another person or persons by:

(a) Loud noise; or

(b) Offensive language addressed in a face-to-face manner to a specific individual and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient; or

(c) Threatening to commit a felonious act against any person under circumstances which are likely to cause a reasonable person to fear that such threat may be carried out; or

(d) Fighting; or

(e) Creating a noxious and offensive odor;

(2) Is in a public place or on private property of another without consent and purposely causes inconvenience to another person or persons by unreasonably and physically obstructing:

(a) Vehicular or pedestrian traffic; or

(b) The free ingress or egress to or from a public or private place.

2. Notwithstanding the provisions of subdivision (1) of subsection 1 of this section, a person does not commit the offense of peace disturbance by creating a loud noise or creating a noxious or offensive odor if such alleged noise or odor arises from or is attendant to:

(a) Raising, maintaining, or keeping livestock as defined in section 277.020 including, but not limited to, any noise or odor made directly by or coming directly from any livestock;

(b) Planting, caring for, maintaining, or harvesting crops or hay; or

(c) The engine of a vehicle or tractor while engaged in normal business related activities.

3. The offense of peace disturbance is a class B misdemeanor upon the first conviction. Upon a second or subsequent conviction, peace disturbance is a class A misdemeanor. Upon a third or subsequent conviction, a person shall be sentenced to pay a fine of no less than one thousand dollars and no more than five thousand dollars.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to Senate Bill No. 8, Page 1, Line 3, by deleting all of said line and inserting in lieu thereof the following:

“142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) “Agricultural purposes”, clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

(2) “Alternative fuel”, electricity, liquefied petroleum gas (LPG or LP gas), compressed natural gas product, or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

(3) “Aviation fuel”, any motor fuel specifically compounded for use in reciprocating aircraft engines;

(4) “Blend stock”, any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

(5) “Blended fuel”, a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

(6) “Blender”, any person that produces blended motor fuel outside the bulk transfer/terminal system;

(7) “Blending”, the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

(8) “Bulk plant”, a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;

(9) “Bulk transfer”, any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

(10) “Bulk transfer/terminal system”, the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

(11) “Consumer”, the user of the motor fuel;

(12) “Delivery”, the placing of motor fuel or any liquid **or propulsion energy** into the **battery**, fuel tank, **or storage device** of a motor vehicle or bulk storage facility;

(13) “Department”, the department of revenue;

(14) “Destination state”, the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

(15) “Diesel fuel”, any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. “Diesel fuel” does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. “Diesel fuel” does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

(16) “Diesel-powered highway vehicle”, a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

(17) “Director”, the director of revenue;

(18) “Distributor”, a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

(19) “Dyed fuel”, diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

(20) “Eligible purchaser”, a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

(21) “Export”, to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

(22) “Exporter”, any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

(23) “Farm tractor”, all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

(24) “Fuel grade alcohol”, a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

(25) “Fuel transportation vehicle”, any vehicle designed for highway use which is also designed or used

to transport motor fuels and includes transport trucks and tank wagons;

(26) “Gasoline”, all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

(27) “Gross gallons”, the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

(28) “Heating oil”, a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

(29) “Import”, to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

(30) “Import verification number”, the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

(31) “Importer” includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

(32) “Interstate motor fuel user”, any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

(33) “Invoiced gallons”, the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

(34) “K-1 kerosene”, a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

(35) “Kerosene”, the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

(36) “Liquid”, any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;

(37) “Motor fuel”, gasoline, diesel fuel, kerosene and blended fuel;

(38) “Motor vehicle”, any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

(39) “Net gallons”, the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

(40) “Permissive supplier”, an out-of-state supplier that elects, but is not required, to have a supplier’s license pursuant to this chapter;

(41) “Person”, natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

(42) “Position holder”, the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

(43) “Propel”, the operation of a motor vehicle, whether it is in motion or at rest;

(44) “Public highway”, every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

(45) “Qualified terminal”, a terminal which has been assigned a terminal control number (“tcn”) by the Internal Revenue Service;

(46) “Rack”, a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

(47) “Refiner”, any person that owns, operates, or otherwise controls a refinery;

(48) “Refinery”, a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

(49) “Removal”, any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;

(50) “Retailer”, a person that engages in the business of selling or dispensing to the consumer within this state;

(51) “Supplier”, a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

(b) One or more of the following:

a. The position holder in a terminal or refinery in this state;

b. Imports motor fuel into this state from a foreign country;

c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or

d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. “Supplier” also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. “Supplier” includes a permissive supplier unless specifically provided otherwise;

(52) “Tank wagon”, a straight truck having multiple compartments designed or used to carry motor fuel;

(53) “Terminal”, a bulk storage and distribution facility which includes:

(a) For the purposes of motor fuel, is a qualified terminal;

(b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;

(54) “Terminal bulk transfers” include but are not limited to the following:

(a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;

(b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;

(c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and

(d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;

(55) “Terminal operator”, any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;

(56) “Transmix”, the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;

(57) “Transport truck”, a semitrailer combination rig designed or used to transport motor fuel over the highways;

(58) “Transporter”, any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;

(59) “Two-party exchange”, a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:

(a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and

(b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events

to this state;

(60) “Ultimate vendor”, a person that sells motor fuel to the consumer;

(61) “Undyed diesel fuel”, diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and

(62) “Vehicle fuel tank”, any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle.

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, seventeen cents per gallon;

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080 to be collected as required under this chapter;

(4) Compressed natural gas fuel, five cents per gasoline gallon equivalent until December 31, 2019, eleven cents per gasoline gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per gasoline gallon equivalent thereafter. The gasoline gallon equivalent and method of sale for compressed natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the gasoline gallon equivalent and method of sale for compressed natural gas shall be equal to five and sixty-six-hundredths pounds of compressed natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on compressed natural gas, including but not limited to licensing, reporting, penalties, and interest;

(5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31, 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and method of sale for liquefied natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof.

In the absence of such standard or agreement, the diesel gallon equivalent and method of sale for liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on liquefied natural gas, including but not limited to licensing, reporting, penalties, and interest;

(6) Propane gas fuel, five cents per gallon until December 31, 2019, eleven cents per gallon from January 1, 2020, until December 31, 2024, and then seventeen cents per gallon thereafter. All

applicable provisions contained in this chapter governing administration, collection, and enforcement of the state motor fuel tax shall apply to the tax imposed on propane gas including, but not limited to, licensing, reporting, penalties, and interest;

(7) If a natural gas, compressed natural gas, [or] liquefied natural gas, **electric, or propane** connection is used for fueling motor vehicles and for another use, such as heating, the tax imposed by this section shall apply to the entire amount of natural gas, compressed natural gas, [or] liquefied natural gas, **electricity, or propane** used unless an approved separate metering and accounting system is in place.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section, provided that sales made to alternative fueled vehicles powered by **propane**, compressed natural gas, or liquefied natural gas that do not meet the requirements of subsection 3 of this section shall be taxed exclusively pursuant to subdivisions (4) [and (5)] **to (7)** of subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles, **except plug-in electric hybrids**, shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter “F”; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter “F”; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. **Owners or operators of plug-in electric hybrids shall pay one-half of the stated annual alternative fuel decal fee.** Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section. **For the purposes of this section, a plug-in electric hybrid shall be any hybrid vehicle made by a manufacturer with a model year of 2018 or newer, that has not been modified from the original manufacturer specifications, with an internal combustion engine and batteries that can be recharged by connecting a plug to an electric power source.**

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel other than **propane**, compressed natural gas, and liquefied natural gas, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for

a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. Owners or operators of passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by compressed natural gas or liquefied natural gas who have installed a compressed natural gas fueling station or liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803. Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own or operate. Owners or operators of motor vehicles powered by compressed natural gas or liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use alternative fuel decals under this subsection. Any compressed natural gas or liquefied natural gas obtained at any fueling station not owned by the owner or operator of the motor vehicle bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of subsection 1 of section 142.803.

4. An owner or operator of a motor vehicle powered by propane may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivision (6) of subsection 1 of section 142.803. If the appropriate motor fuel tax under subdivision (6) of subsection 1 of section 142.803 is collected at the time of fueling, an operator of a propane fueling station that uses quick-connect fueling nozzles may sell propane as a motor fuel without verifying the application of a valid Missouri alternative fuel decal. If an owner or operator of a motor vehicle powered by propane that bears an alternative fuel decal refuels at an unattended propane refueling station, such owner or operator shall not be eligible for a refund of the motor fuel tax paid at such refueling.

5. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year. **This subsection shall not apply to an owner or operator of a motor vehicle powered by propane who fuels such vehicle exclusively at unattended fueling stations that collect the motor fuel tax.**

[5.] 6. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

[6.] 7. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations

promulgated by the director.

[7.] **8.** It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal **unless the motor vehicle is exclusively fueled at propane, compressed natural gas, or liquefied natural gas fueling stations that collect the motor fuel tax.**

[8.] **9.** No person shall cause to be put, or put, [LP gas] **any alternative fuel** into the fuel supply receptacle **or battery** of a motor vehicle required to have an alternative fuel decal unless the motor vehicle **either** has a valid decal attached to it **or the appropriate motor fuel tax is collected at the time of such fueling.** [Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.]

[9.] **10.** Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

[10.] **11.** Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.

304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for”; and

Further amend said amendment, Page 2, Line 15, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 307.175, Line 23, by inserting after all of said section and line the following:

“Section 1. Notwithstanding any other provision of law, any political subdivision that imposes a local excise or sales tax enacted after January 1, 2017, under article IV, section 30(a) of the Constitution of Missouri shall use no less than ninety percent of such funds collected for the construction, reconstruction, maintenance, and repair of roads and streets and for the payment and interest on indebtedness incurred on account of road and street purposes, and no more than ten percent of such funds collected for policing, signing, lighting, and cleaning roads and streets.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to Senate Bill No. 8, Page 2, Line 15, by inserting after said line the following:

“Further amend said bill, Page 2, Section 307.175, Line 23, by inserting after all of said section and line the following:

“307.178. 1. As used in this section, the term “passenger car” means every motor vehicle designed for carrying ten persons or less and used for the transportation of persons; except that, the term “passenger car” shall not include motorcycles, motorized bicycles, motor tricycles, and trucks with a licensed gross weight of twelve thousand pounds or more. The provisions of this section shall be uniform and in full effect in all political subdivisions of this state.

2. Each driver, except persons employed by the United States Postal Service while performing duties for that federal agency which require the operator to service postal boxes from their vehicles, or which require frequent entry into and exit from their vehicles, and front seat passenger of a passenger car manufactured after January 1, 1968, operated on a street or highway in this state, and persons less than eighteen years of age operating or riding in a truck, as defined in section 301.010, on a street or highway of this state shall wear a properly adjusted and fastened safety belt that meets federal National Highway, Transportation and Safety Act requirements. No person shall be stopped, inspected, or detained solely to determine compliance with this subsection. The provisions of this section and section 307.179 shall not be applicable to persons who have a medical reason for failing to have a seat belt fastened about their body, nor shall the provisions of this section be applicable to persons while operating or riding a motor vehicle being used in agricultural work-related activities. Noncompliance with this subsection shall not constitute probable cause for violation of any other provision of law. The provisions of this subsection shall not apply to the transporting of children under sixteen years of age, as provided in section 307.179.

3. Each driver of a motor vehicle transporting a child less than sixteen years of age shall secure the child in a properly adjusted and fastened restraint under section 307.179.

4. In any action to recover damages arising out of the ownership, common maintenance or operation of a motor vehicle, failure to wear a safety belt in violation of this section shall not be considered evidence of comparative negligence. Failure to wear a safety belt in violation of this section may be admitted to mitigate damages, but only under the following circumstances:

(1) Parties seeking to introduce evidence of the failure to wear a safety belt in violation of this section must first introduce expert evidence proving that a failure to wear a safety belt contributed to the injuries claimed by plaintiff;

(2) If the evidence supports such a finding, the trier of fact may find that the plaintiff's failure to wear a safety belt in violation of this section contributed to the plaintiff's claimed injuries, and may reduce the amount of the plaintiff's recovery by an amount not to exceed one percent of the damages awarded after any reductions for comparative negligence.

5. Except as otherwise provided for in section 307.179, each person who violates the provisions of subsection 2 of this section is guilty of an infraction for which a fine not to exceed ten dollars may be imposed. All other provisions of law and court rules to the contrary notwithstanding, no court costs shall be imposed on any person due to a violation of this section. In no case shall points be assessed against any person, pursuant to section 302.302, for a violation of this section.

6. The state highways and transportation commission shall initiate and develop a program of public information to develop understanding of, and ensure compliance with, the provisions of this section. The commission shall evaluate the effectiveness of this section and shall include a report of its findings in the annual evaluation report on its highway safety plan that it submits to NHTSA and FHWA pursuant to 23 U.S.C. 402.

7. If there are more persons than there are seat belts in the enclosed area of a motor vehicle, then the passengers who are unable to wear seat belts shall sit in the area behind the front seat of the motor vehicle unless the motor vehicle is designed only for a front-seated area. The passenger or passengers occupying a seat location referred to in this subsection is not in violation of this section. This subsection shall not apply to passengers who are accompanying a driver of a motor vehicle who is licensed under section 302.178.”;

and

Further amend said bill and page, Section B, Lines 2 and 4, by inserting immediately after the word “section” the words “307.175 of section”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend Senate Bill No. 8, Page 1, Section A, Line 2, by inserting after all of said line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

(1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;

(2) Establish one-way streets and provide for the regulation of vehicles thereon;

(3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality. **The use by commercial motor vehicles of a municipality-designated route for such vehicles in compliance with any ordinances of the designating municipality shall not be deemed a nuisance or evidence of a nuisance. Nothing contained in this subdivision is intended to modify or limit recovery for any claim that is independent of a nuisance claim;**

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound-producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator’s license number of the person renting or leasing the

vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial motor vehicles on all routes within the municipality. For purposes of this section, the term “route” shall mean any state road, county road, or public street, avenue, boulevard, or parkway.

6. No ordinance shall prohibit the operator of a motor vehicle from being in an intersection while a red signal is being displayed if the operator of the motor vehicle entered the intersection during a yellow signal interval. The provisions of this subsection shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision that are to the contrary.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Brown moved that **HCS for HB 2**, with **SCS, SA 1** and **SSA 1 for SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SSA 1 for SA 1 was again taken up.

Senator Silvey offered **SA 1 to SSA 1 for SA 1**:

SENATE AMENDMENT NO. 1 TO SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 1, Line 3, by striking the number “\$3,714,489,396” and inserting in lieu thereof the following number: “\$3,749,483,608”; and further amend line 6 by striking the number “\$3,357,912,937” and inserting in lieu thereof the following number: “\$3,392,907,149”; and further amend line 9 by striking the number “2,174,393,353” and inserting in lieu thereof the following number: “2,201,618,959”; and further amend said line by inserting at the end of said line the following:

“Further amend said section, line 19 by striking the number “136,527,063” and inserting in lieu thereof the following: “144,295,669”; and”.

Senator Silvey moved that the above amendment be adopted.

At the request of Senator Cunningham, **SSA 1 for SA 1** was withdrawn, rendering **SA 1 to SSA 1 for SA 1** moot.

Senator Cunningham offered **SSA 2 for SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 2
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 3, by striking the number “\$3,704,489,396” and inserting in lieu thereof the number “\$3,715,489,396”; and

Further amend said section, line 9 by striking the number “\$3,347,912,937” and inserting in lieu thereof the number “\$3,358,912,937”; and

Further amend said section, line 16 by striking the number “2,164,393,353” and inserting in lieu thereof the number “2,175,393,353”; and

Further amend section and bill totals accordingly.

Senator Cunningham moved that the above substitute amendment be adopted.

Senator Cunningham offered **SA 1** to **SSA 2** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 2 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 2 for Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 1, Line 3, by striking the number “\$3,715,489,396” and inserting in lieu thereof the following number: “\$3,714,489,396”; and further amend line 6 by striking the number “\$3,358,912,937” and inserting in lieu thereof the following number: “\$3,357,912,937”; and further amend line 9 by striking the number “2,175,393,353” and inserting in lieu thereof the following number: “2,174,393,353”.

Senator Cunningham moved that the above amendment be adopted.

At the request of Senator Romine, **SA 1** was withdrawn, rendering **SSA 2** for **SA 1** and **SA 1** to **SSA 2** for **SA 1** moot.

Senator Romine offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 3, by striking the number “\$3,704,489,396” and inserting in lieu thereof the number “\$3,748,483,608”; and

Further amend said section, line 9 by striking the number “\$3,347,912,937” and inserting in lieu thereof the number “\$3,391,907,149”; and

Further amend said section, line 16 by striking the number “2,164,393,353” and inserting in lieu thereof the number “2,200,618,959”; and

Further amend said section, line 19 by striking the number “136,527,063” and inserting in lieu thereof the number “\$144,294,669”; and

Further amend section and bill totals accordingly.

Senator Romine moved that the above amendment be adopted.

Senator Romine offered **SSA 1** for **SA 2**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 2, Section 2.015, Line 3, by striking the number “\$3,704,489,396” and inserting in lieu thereof the number “\$3,747,483,608”; and

Further amend said section, line 9 by striking the number “\$3,347,912,937” and inserting in lieu thereof the number “\$3,390,907,149”; and

Further amend said section, line 16 by striking the number “2,164,393,353” and inserting in lieu thereof the number “2,199,618,959”; and

Further amend said section, line 19 by striking the number “136,527,063” and inserting in lieu thereof the number “\$144,293,669”; and

Further amend section and bill totals accordingly.

Senator Romine moved that the above substitute amendment be adopted.

Senator Romine offered **SA 1** to **SSA 1** for **SA 2**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 2

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 1, Line 3, by striking the number “\$3,747,483,608” and inserting in lieu thereof the following: “\$3,749,483,608”; and further amend line 6 by striking the number “\$3,390,907,149” and inserting in lieu thereof the following: “\$3,392,907,149”; and further amend line 9 by striking the number “2,199,618,959” and inserting in lieu thereof the following: “2,201,618,959”; and further amend line 12 by striking the number “\$144,293,669” and inserting in lieu thereof the following: “\$144,295,669”.

Further amend the title and enacting clause accordingly.

Senator Romine moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Libla, Schaaf, Schupp and Walsh.

SA 1 to **SSA 1** for **SA 2** was adopted by the following vote:

YEAS—Senators

Curls	Dixon	Eigel	Holsman	Hoskins	Hummel	Koenig
Kraus	Libla	Nasheed	Rizzo	Romine	Rowden	Schaaf
Schupp	Sifton	Silvey	Walsh—18			

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Munzlinger	Onder
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Richard Riddle Sater Schatz Wallingford Wasson Wieland—14

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

Senator Schaaf requested a roll call vote be taken on **SSA 1** for **SA 2**, as amended. He was joined in his request by Senators Libla, Romine, Schupp and Silvey.

SSA 1 for **SA 2**, as amended, was adopted by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Eigel	Holsman	Hoskins	Hummel
Koenig	Kraus	Libla	Nasheed	Rizzo	Romine	Rowden
Schaaf	Schupp	Sifton	Silvey	Walsh—19		

NAYS—Senators

Brown	Cunningham	Emery	Hegeman	Kehoe	Munzlinger	Onder
Richard	Riddle	Sater	Schatz	Wallingford	Wasson	Wieland—14

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 10, Section 2.145, Line 5, by striking the number “\$60,000” and inserting in lieu thereof the number “\$3,561,486”; and

Further amend section and bill totals accordingly.

Senator Sifton moved that the above amendment be adopted, which motion failed.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Schupp offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 2, Page 11, Section 2.170, Line 6, by striking said line and inserting in lieu thereof the following: “from General

Revenue Fund (0101)... \$11,099,337”, and

Further amend the section and bill totals accordingly.

Senator Schupp moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Brown moved that **SCS** for **HCS** for **HB 2**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 2**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 3**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was taken up by Senator Brown.

SCS for HCS for HB 3, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 3** be adopted, which motion prevailed.

Senator Onder assumed the Chair.

President Parson assumed the Chair.

On motion of Senator Brown, **SCS for HCS for HB 3** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford
Wasson	Wieland—30					

NAYS—Senators

Schupp	Sifton	Walsh—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 4, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds shall be used for any costs associated with the tolling of interstate highways.

Was taken up by Senator Brown.

SCS for HCS for HB 4, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018. The Missouri Department of Transportation shall not expend any funds to encourage the enactment of local ordinances regarding primary enforcement of seat belt laws.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 4** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS for HCS for HB 4** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Schupp—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 5, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of

Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for **HCS** for **HB 5**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 5** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus Schupp—2

Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 64**.

With House Amendment No. 1, House Amendment No. 2 and House Amendment No. 3.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 64, Page 1, Section 227.533, Line 5, by inserting after all of said section and line the following:

“Section 1. The bridge on State Highway 99 crossing over Eleven Point River in Thomasville in Oregon County shall be designated as the “Roger “Dusty” Shaw Memorial Bridge”. The department of transportation shall erect and maintain signs designating such bridge, with the cost of such designation to be paid for by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 64, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“227.448. The portion of Business 25 from Taylor Street continuing north to Douglas Street through the city of Malden in Dunklin County shall be designated the “Narvel Felts Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 64, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“227.447. The portion of Interstate Highway 55 from its interchange with U.S. Highway 61 at exit 170 continuing north to its interchange with U.S. Highway 67 at exit 174B in Jefferson County shall be designated the “USMA Cadet Thomas M. Surdyke Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway with the costs to be paid by private donations.

227.448. The portion of Business 25 from Taylor Street continuing north to Douglas Street through the city of Malden in Dunklin County shall be designated the “Narvel Felts Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid by private donations.

227.449. The portion of State Highway 163 from the interchange with Interstate 70 continuing south to Loop 70 in Boone County shall be designated as “Sherman Brown Jr. Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway with the costs to be paid by private donations.

227.532. The portion of Missouri 249 from State Highway VV continuing north to Missouri 171 in Jasper County shall be designated as the “Edward F Dixon The Third Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway,

with the costs of such designation to be paid for by private donation.”; and

Further amend said bill, Page 1, Section 227.533, Line 5, by inserting after all of said section and line the following:

“227.535. The portion of State Highway 231 from the interchange with Interstate 255 north to River City Casino Boulevard in St. Louis City shall be designated the “Veterans - Heroes Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with costs to be paid for by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCR 17**.

HOUSE CONCURRENT RESOLUTION NO. 17

WHEREAS, meningococcal disease is any infection caused by the bacterium *Neisseria meningitidis*, or meningococcus. Although 1 in 10 people are carriers for this bacteria with no signs or symptoms of disease, sometimes *Neisseria meningitidis* bacteria can cause illness; and

WHEREAS, meningococcal disease is spread from person to person via the exchange of the bacteria through respiratory and throat secretion during close or lengthy contact; and

WHEREAS, in the U.S. there are approximately 1,000 to 1,200 cases of meningococcal disease that occur each year; and

WHEREAS, 10 to 15 percent of infected individuals will die, while 11 to 19 percent of those who live will suffer from serious morbidity, including loss of limbs and impacts to the nervous system; and

WHEREAS, infants under one year of age as well as young adults between the ages of 16 and 21 are most commonly impacted by this disease; and

WHEREAS, there are different strains or serogroups of *Neisseria meningitidis*, with serogroups B, C, and Y accounting for most meningococcal diseases in the U.S.; and

WHEREAS, there have been several recent outbreaks of serogroup B meningococcal disease on college campuses, with some cases resulting in death; and

WHEREAS, vaccines are available to prevent meningococcal disease, and different vaccines provide coverage against certain specific serogroups of the disease; and

WHEREAS, while there are vaccines that help provide protection against all three serogroups (B, C, and Y) commonly seen in the U.S., only vaccination for serogroups A, C, W, and Y is routinely recommended by the Centers for Disease Control and Prevention; and

WHEREAS, the Centers for Disease Control and Prevention’s Advisory Committee on Immunization Practices recommends that decisions to vaccinate adolescents and young adults 16 through 23 years of age against serogroup B meningococcal disease should be made at the individual level with health care providers; and

WHEREAS, it is critical that students, parents, educators, and health care providers understand the dangers of meningitis B and are aware that a vaccine is available to prevent disease resulting from this serogroup:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby find that the recent incidence of meningococcal disease has served as a reminder of the critical role vaccinations play in helping to prevent this devastating illness; and

BE IT FURTHER RESOLVED that the Department of Health and Senior Services take all reasonable steps to urge all private and public high schools, colleges, and universities in Missouri to provide information to all students and parents about meningococcal disease, explaining the different disease serogroups, symptoms, risks, and treatment; and

BE IT FURTHER RESOLVED that such information shall also include a notice of availability, benefits, risks, and limitations of all meningococcal vaccines receiving a recommendation from the Advisory Committee on Immunization Practices, including Category A and

Category B recommendations, with specific information as to those persons at higher risk for the disease; and

BE IT FURTHER RESOLVED that each private and public high school, college, and university shall recommend that current and entering students receive meningococcal vaccines in accordance with current Advisory Committee on Immunization Practices guidelines; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for every private and public high school, college, and university in Missouri.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HB 824**, entitled:

An Act to repeal sections 304.005 and 304.170, RSMo, and to enact in lieu thereof two new sections relating to transportation safety.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 384**, entitled:

An Act to repeal sections 578.018 and 578.030, RSMo, and to enact in lieu thereof two new sections relating to confiscation of animals, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 886**, entitled:

An Act to repeal section 104.1205, RSMo, and to enact in lieu thereof one new section relating to retirement of higher education employees, with a delayed effective date.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

On motion of Senator Kehoe, the Senate recessed until 6:40 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has

taken up and passed **HCR 7**.

HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, extensive and credible reports have revealed mass killing of prisoners of conscience in the People's Republic of China, primarily practitioners of the spiritual-based exercises of Falun Gong, but also other religious and ethnic minority groups, in order to obtain organs for transplants; and

WHEREAS, the organ transplantation system in China does not comply with the World Health Organization's Guiding Principles of traceability and transparency in organ procurement pathways, and the government of the People's Republic of China has resisted independent scrutiny of the system; and

WHEREAS, traditional Chinese custom requires bodies to be preserved intact after death. With rare voluntary organ donation, however, China's transplantation industry significantly increased since 2000; and

WHEREAS, the Department of State Country Report on Human Rights for China for 2011 stated, "Overseas and domestic media and advocacy groups continued to report instances of organ harvesting, particularly from Falun Gong practitioners and Uighurs"; and

WHEREAS, a new investigative report, published in June 2016, conducted by human rights attorney David Matas, former Canadian Secretary of State for Asia-Pacific David Kilgour, and journalist Ethan Gutmann, estimated that China is performing 60,000 to 100,000 transplants per year as opposed to 10,000 transplants claimed by the Chinese government, which is "an industrial-scale, state-directed organ transplantation system, controlled through national policies and funding, and implicating both the military and civilian healthcare systems."; and

WHEREAS, China's Liver Transplant Registry System indicated that more than twenty-five percent of cases were emergency transplants, for which an organ was found within days or even hours. Wait times for nonemergency liver transplants were usually quoted in weeks. Most patients in other countries have to wait years for a transplant; and

WHEREAS, the Chinese government claims that ninety percent of China's organ transplant sources come from executed prisoners. However, the number of executions has dropped ten percent annually since 2002 and is far less than the number of transplants taking place. The government has never acknowledged the sourcing of organs from prisoners of conscience; and

WHEREAS, Falun Gong, a spiritual practice involving meditative "qigong" exercises and centered on the values of truthfulness, compassion, and forbearance, became immensely popular in China in the 1990s, with multiple estimates placing the number of practitioners at upwards of 70 million; and

WHEREAS, in July 1999, the Chinese Communist Party launched an intensive, nationwide persecution, including physical and mental torture, designed to eradicate the spiritual practice of Falun Gong, reflecting the party's long-standing intolerance of large independent civil society groups; and

WHEREAS, since 1999, hundreds of thousands of Falun Gong practitioners have been detained extralegally in Chinese reeducation-through-labor camps, detention centers, and prisons, where torture, abuse, and implausible medical exams and blood tests on Falun Gong practitioners are routine; and

WHEREAS, Freedom House reported in 2015 that Falun Gong practitioners comprise the largest portion of prisoners of conscience in China and face an elevated risk of dying or being killed in custody; and

WHEREAS, the United Nations Committee Against Torture and the Special Rapporteur on Torture have expressed concern over the allegations of organ harvesting from Falun Gong prisoners and have called on the Government of the People's Republic of China to increase accountability and transparency in the organ transplant system and punish those responsible for abuses; and

WHEREAS, in June 2016, the United States House of Representatives unanimously passed House Resolution 343, condemning the systematic, state-sanctioned organ harvesting from Falun Gong and other prisoners of conscience; and

WHEREAS, the killing of religious or political prisoners for the purpose of selling their organs for transplant is an egregious and intolerable violation of the fundamental right to live; and

WHEREAS, organ tourism to China should not be shielded by medical confidentiality, but openly monitored. No nation should allow their citizens to go to China for organs until China has allowed a full investigation into organ harvesting of prisoners of conscience, both past and present:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby:

(1) Call on the Government of the People's Republic of China to immediately end the practice of organ harvesting from all prisoners and prisoners of conscience, and explicitly from Falun Gong prisoners of conscience and members of other religious and ethnic minority groups;

(2) Call upon the Government of the People's Republic of China to immediately end the 17-year persecution of the Falun Gong and release all Falun Gong practitioners and other prisoners of conscience;

(3) Call upon the President of the United States to undertake a full and transparent investigation by the United States Department of State

into organ transplant practices in the People's Republic of China, and call for the prosecution of those found to have engaged in such unethical practices;

(4) Encourage the medical community of Missouri to engage in educating colleagues and residents of Missouri about the risks of travel to China for organ transplants so as to help prevent Missouri citizens from unwittingly becoming involved in murder in the form of forced organ harvesting from prisoners of conscience; and

(5) Agree to take measures to ban the entry of those who have participated in illegal removal of human tissues and organs, and seek prosecution of such individuals should they be found on the soil of Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the President and Vice President of the United States, the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, the chair of the Senate Committee on Foreign Affairs, the chair of the House Committee on Foreign Relations, and Missouri's Senators and Representatives in Congress.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

HCS for HB 6, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2017 and ending June 30, 2018; provided the Department of Natural Resources notify members of the General Assembly, in writing, about pending land purchases sixty (60) days prior to the close of sale; and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of "waters of the United States" or "navigable waters" under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly; and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency's "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," 80 Fed. Reg. 64,662 (October 23, 2015).

Was taken up by Senator Brown.

SCS for HCS for HB 6, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2017 and ending June 30, 2018; provided the Department of Natural Resources notify

members of the General Assembly, in writing, about pending land purchases sixty (60) days prior to the close of sale; and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of “waters of the United States” or “navigable waters” under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly; and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015).

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 6** be adopted.

Senator Chappelle-Nadal offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 19, Section 6.225, Line 152, by inserting immediately thereafter the following:

“Section 6.226. To the Department of Natural Resources

For the Missouri Contaminated Home Acquisition Program pursuant to Sections 260.850 to 260.865 RSMo. From General Revenue Fund (0101).....\$12,500,000”; and

Further amend bill totals accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted.

Upon equal division of the Senate on a standing division vote, the Lieutenant Governor as President of the Senate cast the deciding vote.

SA 1 failed of adoption.

Senator Chappelle-Nadal offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 6, Page 19, Section 6.225, Line 152, by inserting immediately thereafter the following:

“Section 6.226. To the Department of Natural Resources

For the Missouri Contaminated Home Acquisition Program pursuant to Sections 260.850 to 260.865 RSMo. From General Revenue Fund (0101).....\$3,000,000”; and

Further amend bill totals accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS** for **HCS** for **HB 6**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 6** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla

Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 7, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for HCS for HB 7, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 7** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS for HCS for HB 7** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine

Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford	Wasson
Wieland—29						

NAYS—Senators			
Hummel	Schupp	Sifton	Walsh—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 8, with SCS, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018, provided that a flight plan be made publicly available via a global aviation data services organization that operates both a website and mobile application which provides free flight tracking of both private and commercial aircraft prior to the departure of any flight on a state aircraft for which an elected official will be on board the aircraft.

Was taken up by Senator Brown.

SCS for HCS for HB 8, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 8** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS for HCS for HB 8** was read the 3rd time and passed by the following vote:

YEAS—Senators						
Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus

Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Under the provisions of Senate Rule 91, Senator Schaaf was excused from voting on **SCS** for **HCS** for **HB 9**.

HCS for **HB 9**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for **HCS** for **HB 9**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 9** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 9** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo

Romine	Rowden	Sater	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson—31				

NAYS—Senator Wieland—1

Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senator Schaaf—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 835, regarding Kristie Arnn, House Springs, which was adopted.

Senator Eigel offered Senate Resolution No. 836, regarding Carl Philip Specking, Saint Charles, which was adopted.

Senator Libla offered Senate Resolution No. 837, regarding the Seventy-fifth Anniversary of the City Light Gas and Water, Kennett, which was adopted.

Senator Nasheed offered Senate Resolution No. 838, regarding Artinces Jewel Hawkins, St. Louis, which was adopted.

Senator Schaaf offered Senate Resolution No. 839, regarding the Fiftieth Wedding Anniversary of Roger and Mary Lewin, St. Joseph, which was adopted.

INTRODUCTION OF GUESTS

On behalf of Senator Nasheed, Senator Sifton introduced to the Senate, members of the Missouri Wing of the Civil Air Patrol, St. Louis.

Senator Holsman introduced to the Senate, former State Representative Jeff Roorda, Barnhart.

Senator Brown introduced to the Senate, Ed Tenes, Missouri Civil Air Patrol, Rolla.

Senator Riddle introduced to the Senate, Olivia Linneman, Troy.

Senator Sifton introduced to the Senate, fourth grade students from Edgar Road Elementary School, Webster Groves.

Senator Libla introduced to the Senate, Steve and Sherry Francis, Amanda Dillinger, Michael and Michelle Gross, Carla Robertson, Yvonne Bedell and Bob and Teresa Persons; and fourth grade students from First Baptist School, Poplar Bluff.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTIETH DAY—WEDNESDAY, APRIL 26, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler
HCS for HB 619
HCS for HB 162
HB 97-Swan
HCS for HB 293
HCS for HB 219
HCS for HB 324
HCS for HB 746

HCS for HB 194
HCS for HBs 960, 962 & 828
HCS for HB 670
HB 743-Conway
HB 824-Reiboldt
HCS for HB 384
HCS for HB 886

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 313-Koenig
(In Fiscal Oversight)

SS for SCS for SB 49-Walsh (In Fiscal Oversight)
SS for SB 490-Schupp

SENATE BILLS FOR PERFECTION

1. SB 495-Riddle, with SCS
2. SB 532-Hoskins
3. SB 518-Emery
4. SB 341-Nasheed, with SCS
5. SJR 5-Emery, with SCS
6. SB 305-Kehoe, et al
7. SB 535-Wallingford
8. SB 523-Sater, with SCS
9. SB 480-Kraus
10. SB 407-Riddle, with SCS

11. SB 353-Wallingford, with SCS
12. SB 380-Riddle
13. SB 297-Hummel, with SCS
14. SB 474-Schatz
15. SB 483-Holsman
16. SB 498-Nasheed
17. SB 251-Kehoe, with SCS
18. SB 528-Hegeman
19. SB 307-Munzlinger
20. SB 472-Hoskins

21. SB 524-Koenig, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HB 288-Fitzpatrick (Kehoe) | 29. HB 355-Bahr (Eigel) |
| 2. HCS for HB 151 (Silvey)
(In Fiscal Oversight) | 30. HCS for HB 122, with SCS (Onder) |
| 3. HB 850-Davis (Kraus) | 31. HCS for HB 230, with SCS (Koenig) |
| 4. HCS for HB 452 (Rowden) | 32. HB 700-Cookson, with SCS (Libla) |
| 5. HCS for HB 831, with SCS (Hummel)
(In Fiscal Oversight) | 33. HB 1045-Haahr (Wasson)
(In Fiscal Oversight) |
| 6. HCS for HB 381, with SCS (Hegeman) | 34. HB 909-Fraker (Wasson) |
| 7. HB 58-Haefner (Onder) | 35. HCS for HB 631, with SCS (Emery) |
| 8. HB 175-Reiboldt, with SCS (Munzlinger) | 36. HCS for HB 348 (Romine) |
| 9. HB 327-Morris (Curls)
(In Fiscal Oversight) | 37. HJR 10-Brown (Romine) |
| 10. HB 680-Fitzwater, with SCS (Wasson) | 38. HCS#2 for HB 502 (Rowden) |
| 11. HCS for HB 57-Haefner, with SCS
(Libla) (In Fiscal Oversight) | 39. HCS for HB 304, with SCS (Koenig) |
| 12. HCS for HB 422 (Dixon) | 40. HB 871-Davis, with SCS (Kraus) |
| 13. HB 245-Rowland, with SCS
(Cunningham) (In Fiscal Oversight) | 41. HB 843-McGaugh, with SCS (Hegeman) |
| 14. HB 262-Sommer (Hoskins) | 42. HB 200-Fraker, with SCS (Sater) |
| 15. HCS for HB 270 (Rowden) | 43. HCS for HB 703 (Hegeman) |
| 16. HCS for HB 661, with SCS (Emery)
(In Fiscal Oversight) | 44. HB 956-Kidd, with SCS (Rizzo) |
| 17. HB 758-Cookson, with SCS (Romine) | 45. HCS for HB 199, with SCS (Cunningham) |
| 18. HCS for HB 138, with SCS (Onder) | 46. HB 87-Henderson, with SCS (Romine) |
| 19. HCS for HB 441 (Rowden) | 47. HB 587-Redmon, with SCS (Hegeman) |
| 20. HCS for HB 253, with SCS (Romine) | 48. HCS for HB 258, with SCS (Munzlinger) |
| 21. HB 94-Lauer (Romine) | 49. HB 349-Brown, with SCS (Sater) |
| 22. HB 248-Fitzwater, with SCS
(Cunningham) (In Fiscal Oversight) | 50. HCS for HB 316, with SCS
(Wallingford) |
| 23. HB 289-Fitzpatrick, with SCS
(Rowden) (In Fiscal Oversight) | 51. HB 558-Ross, with SCS (Schatz) |
| 24. HB 493-Bondon, with SCS (Silvey) | 52. HB 586-Rhoads (Rowden) |
| 25. HB 52-Andrews (Hegeman) | 53. HB 256-Rhoads, with SCS (Munzlinger) |
| 26. HCS for HB 647, with SCS (Sater) | 54. HCS for HB 645 (Sater) |
| 27. HCS for HB 353, with SCS (Sater) | 55. HCS for HB 183 (Nasheed) |
| 28. HCS for HB 54, with SCS (Emery) | 56. HCS for HB 542 (Schatz) |
| | 57. HB 61-Alferman (Schatz) |
| | 58. HB 128, HB 678, HB 701 & HB
964-Davis, with SCS (Richard) |
| | 59. HB 811-Ruth (Wieland) |
| | 60. HB 805-Basye (Rowden) |
| | 61. HB 664-Korman (Riddle) |

62. HCS for HB 10, with SCS (Brown)

63. HCS for HB 11, with SCS (Brown)

64. HCS for HB 12, with SCS (Brown)

65. HCS for HB 13, with SCS (Brown)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 6-Richard, with SCS

SB 13-Dixon

SB 20-Brown

SB 21-Brown

SB 28-Sater, with SCS (pending)

SB 32-Emery, with SCS

SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending)

SBs 44 & 63-Romine, with SCS

SB 46-Libla, with SCS

SB 61-Hegeman, with SCS

SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending)

SB 68-Onder and Nasheed

SB 76-Munzlinger

SB 80-Wasson, with SCS

SB 81-Dixon

SB 83-Dixon

SB 85-Kraus, with SCS

SB 96-Sater and Emery

SB 97-Sater, with SCS

SB 102-Cunningham, with SCS

SB 103-Wallingford

SB 109-Holsman, with SCS

SB 115-Schupp, with SCS

SB 117-Schupp, with SCS

SB 122-Munzlinger, with SCS

SB 123-Munzlinger

SB 126-Wasson

SB 129-Dixon and Sifton, with SCS

SB 130-Kraus, with SCS

SB 133-Chappelle-Nadal

SB 138-Sater

SB 141-Emery

SB 142-Emery

SB 144-Wallingford

SB 145-Wallingford, with SCS

SB 147-Romine

SB 156-Munzlinger, with SCS

SB 157-Dixon, with SCS

SB 158-Dixon

SB 163-Romine

SB 169-Dixon, with SCS

SB 171-Dixon and Sifton, with SCS

SB 176-Dixon

SB 177-Dixon, with SCS

SB 178-Dixon

SB 180-Nasheed, with SCS

SB 183-Hoskins, with SCS

SB 184-Emery, with SS (pending)

SB 185-Onder, et al, with SCS

SB 188-Munzlinger, with SCS

SB 189-Kehoe, with SCS

SB 190-Emery, with SCS & SS#2 for SCS
(pending)

SB 196-Koenig

SB 199-Wasson

SB 200-Libla

SB 201-Onder, with SCS

SB 203-Sifton, with SCS

SB 207-Sifton

SB 209-Wallingford

SB 210-Onder, with SCS

SB 220-Riddle, with SCS & SS for SCS (pending)	SB 331-Hegeman
SB 221-Riddle	SB 333-Schaaf, with SCS
SB 223-Schatz, with SCS	SB 336-Wieland
SB 227-Koenig, with SCS	SB 348-Wasson, with SA 1 (pending)
SB 228-Koenig, with SS & SA 1 (pending)	SB 349-Wasson
SB 230-Riddle	SB 358-Wieland
SB 232-Schatz	SB 362-Hummel
SB 233-Wallingford	SB 368-Rowden
SB 234-Libla, with SCS	SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)
SB 239-Rowden, with SCS	SB 378-Wallingford
SB 242-Emery, with SCS	SB 379-Schatz
SB 243-Hegeman	SB 381-Riddle
SB 247-Kraus, with SCS	SB 383-Eigel and Wieland
SB 250-Kehoe	SB 384-Rowden, with SCS
SB 252-Dixon, with SCS	SB 389-Sater, with SCS
SB 258-Munzlinger	SB 391-Munzlinger
SB 259-Munzlinger	SB 392-Holsman
SB 260-Munzlinger	SB 406-Wasson and Sater
SB 261-Munzlinger	SB 409-Koenig
SB 262-Munzlinger	SB 410-Schatz
SB 263-Riddle	SB 413-Munzlinger
SB 264-Dixon	SB 418-Hegeman, with SCS
SB 267-Schatz, with SCS	SB 419-Riddle
SB 271-Wasson and Richard, with SCS	SB 422-Cunningham, with SCS
SB 280-Hoskins, with SCS	SB 426-Wasson, with SCS
SB 284-Hegeman, with SCS	SB 427-Wasson
SBs 285 & 17-Koenig, with SCS	SB 430-Cunningham, with SCS
SB 286-Rizzo	SB 433-Sater, with SCS
SB 290-Schatz, with SCS	SB 435-Cunningham, with SCS
SB 295-Schaaf, with SCS	SB 442-Hegeman
SB 298-Curls	SB 445-Rowden
SB 303-Wieland, with SCS	SB 448-Emery
SB 311-Wasson, with SCS	SB 451-Nasheed, with SS (pending)
SBs 314 & 340-Schatz, et al, with SCS	SB 468-Hegeman
SB 316-Rowden, with SCS	SB 469-Schatz
SB 325-Kraus	SB 475-Schatz
SBs 327, 238 & 360-Romine, with SCS	SB 485-Hoskins
SB 328-Romine, with SCS & SA 3 (pending)	SB 517-Wasson
SB 330-Munzlinger	SB 526-Brown

SJR 9-Romine, with SCS
SJR 11-Hegeman, with SCS

SJR 12-Eigel
SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)
HCS for HB 66, with SCS (Sater)
HB 85-Redmon, with SCS (Hegeman)
HCS for HBs 91, 42, 131, 265 & 314
(Brown)
HB 93-Lauer, with SCS (Wasson)
HB 95-McGaugh (Emery)
HB 104-Love (Brown)
HCS for HB 115, with SCS (Wasson)
HCS for HBs 190 & 208 (Eigel)
HB 207-Fitzwater (Romine)
HB 251-Taylor, with SCS, SS for SCS,
SA 2 & SA 3 to SA 2 (pending) (Onder)
HCS for HB 292, with SCS (Cunningham)

HCS for HBs 302 & 228, with SCS, SS for
SCS & SA 5 (pending) (Schatz)
HB 336-Shull (Wieland)
HCS for HBs 337, 259 & 575 (Schatz)
HCS for HB 427, with SCS (Kehoe)
HCS for HB 451 (Wasson)
HCS for HB 460 (Munzlinger)
HB 461-Kolkmeier (Munzlinger)
HB 462-Kolkmeier (Munzlinger)
HB 655-Engler (Dixon)
HCS for HBs 1194 & 1193 (Hegeman)
HCB 3-Fitzpatrick, with SA 2 (pending)
(Koenig)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
as amended, HA 4, HA 5, HA 6, HA 7,
HA 8, as amended & HA 9, as amended

SB 64-Schatz, with HA 1, HA 2 & HA 3
SS for SCS for SB 66-Schatz, with HCS,
as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate
recede or grant conference)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 18-Wallingford
HCS for HCR 19 (Kehoe)

HCR 28-Rowland (Rowden)

To be Referred

HCR 7-Morris

HCR 17-Hubrecht

✓

Journal of the Senate

FIRST REGULAR SESSION

SIXTIETH DAY—WEDNESDAY, APRIL 26, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“We have to pray with our eyes on God, not on the difficulties.” (Oswald Chambers)

We know these days increase with tension for we approach our final 2 weeks when this session will end and our work for this time will cease and yet we have much we still want to accomplish. Helps us to keep our eyes on You and not the problems and conflict we see about us so our efforts are true and directed in what You see as truly important that we can bring to completion. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 840, regarding Mia Lee Maciorowski, Chesterfield, which was adopted.

Senator Schupp offered Senate Resolution No. 841, regarding Divya Srihari, which was adopted.

Senators Sifton and Hummel offered Senate Resolution No. 842, regarding Grace Ederer, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 843, regarding Heather Page, which was adopted.

Senator Schupp offered Senate Resolution No. 844, regarding Mark Petre, which was adopted.

Senator Schupp offered Senate Resolution No. 845, regarding Geoffrey Butz, which was adopted.

Senator Schupp offered Senate Resolution No. 846, regarding Delmar Gardens on the Green, which was adopted.

Senator Schupp offered Senate Resolution No. 847, regarding Theresa Matlock, which was adopted.

Senator Hummel offered Senate Resolution No. 848, regarding George William Krewson, which was adopted.

REFERRALS

President Pro Tem Richard referred **HCR 7** and **HCR 17** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

HOUSE BILLS ON THIRD READING

HCS for **HB 10**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

Was taken up by Senator Brown.

SCS for **HCS** for **HB 10**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 10** be adopted.

Senator Schupp offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 1, Section 10.005, Line 10, by inserting immediately after said line the following new section:

“Section 10.007. To the Department of Mental Health

For payments to school districts for children in residential placements through the Department of Mental Health or the Department of Social Services pursuant to Section 167.126, RSMo

From General Revenue Fund (0101) \$7,768,606”;

and further amend bill totals accordingly.

Senator Schupp moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

Senator Schaaf requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Holsman, Libla, Romine and Schupp.

President Parson assumed the Chair.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Libla	Rizzo	Romine
Schaaf	Schupp	Sifton	Silvey	Walsh—12		

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schatz	Wallingford	Wasson	Wieland—20	

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—1

Senator Schaaf offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 45, Section 10.806, Line 6, by striking from the bill “and further provided that the state plan consumer-directed care assistance services rate paid for services delivered in Fiscal Year 2018 does not exceed sixty percent (60%) of the average monthly Medicaid cost of nursing care” and further amend said section line 11 by

striking the number “\$152,621,597” and inserting in lieu thereof the number “\$165,376,063” and further amend said section line 12 by striking the number “\$274,291,961” and inserting in lieu thereof the number “\$297,224,304”; and

Further amend section and bill totals accordingly.

Senator Schaaf moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Holsman, Libla, Romine and Sifton.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Libla	Rizzo
Romine	Rowden	Schaaf	Schupp	Sifton	Silvey	Wallingford
Walsh—15						

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Munzlinger	Onder	Richard	Riddle	Sater
Schatz	Wasson	Wieland—17				

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—1

Senator Schupp offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 40, Section 10.714, Lines 6-22, by striking all of said lines from the bill and inserting in lieu thereof “and follow-up services. Such services shall be available to uninsured women who are at least 18 to 55 years of age with a family Modified Adjusted Gross Income for the household size that does not exceed 201% of the Federal Poverty Level (FPL) and who is a legal resident of the state”

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Schupp offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Pages 40-41, Section 10.714, Lines 3-23, by striking all of said lines and inserting in lieu there the following:

“For the purpose of funding women’s health services using fee-for-service or other alternative service delivery and reimbursement methodology approved by the director of the Department of Health and Senior Services

From General Revenue Fund (0101).....\$1,598,704
From Title XIX - Federal Fund (0163)..... **8,801,755**
Total.....\$10,400,459”;

and

Further amend the bill totals accordingly.

Senator Schupp moved that the above amendment be adopted.

At the request of Senator Brown, **HCS** for **HB 10**, with **SCS** and **SA 4** (pending), was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 111**, entitled:

An Act to repeal sections 473.730, 473.743, 473.747, and 475.120, RSMo, and to enact in lieu thereof three new sections relating to public administrators.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 to House Amendment No. 2, House Amendment No. 3 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment No. 3, and House Amendment No. 5.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 111, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“108.170. 1. Notwithstanding any other provisions of any law or charter to the contrary, any issue of bonds, notes, or other evidences of indebtedness, including bonds, notes, or other evidences of indebtedness payable solely from revenues derived from any revenue-producing facility, hereafter issued under any law of this state by any county, city, town, village, school district, educational institution, drainage district, levee district, nursing home district, hospital district, library district, road district, fire protection district, water supply district, sewer district, housing authority, land clearance for redevelopment authority, special authority created under section 64.920, authority created pursuant to the provisions of chapter 238, or other municipality, political subdivision or district of this state shall be negotiable, may be issued in bearer form or registered form with or without coupons to evidence interest payable thereon, may be issued in any denomination, and may bear interest at a rate not exceeding ten percent per annum, and may be sold, at any sale, at the best price obtainable, not less than ninety-five percent of the par value thereof, anything in any proceedings heretofore had authorizing such bonds, notes, or other evidence of indebtedness, or in any law of this state or charter provision to the contrary notwithstanding. Such issue of bonds, notes, or other evidence of indebtedness may bear interest at a rate not exceeding fourteen percent

per annum if sold at public sale after giving reasonable notice of such sale, at the best price obtainable, not less than ninety-five percent of the par value thereof; provided, that such bonds, notes, or other evidence of indebtedness may be sold to any agency or corporate or other instrumentality of the state of Missouri or of the federal government at private sale at a rate not exceeding fourteen percent per annum. **Any political subdivision that maintains a credit rating by a nationally recognized bond rating agency of A, AA, or AAA issuing more than ten million dollars debt in a calendar year shall issue such debt through a competitive process unless the political subdivision employs the services of a municipal advisor, at which point the political subdivision may use a negotiated or competitive process. A municipal advisor shall not be allowed to profit financially or otherwise, either directly or indirectly, from the underwriter of a negotiated bond issuance.**

2. Notwithstanding the provisions of subsection 1 of this section to the contrary, the sale of bonds, notes, or other evidence of indebtedness issued by the state board of public buildings created under section 8.010, the state board of fund commissioners created under section 33.300, any port authority created under section 68.010, the bi-state metropolitan development district authorized under section 70.370, any special business district created under section 71.790, any county, as defined in section 108.465, exercising the powers granted by sections 108.450 to 108.470, the industrial development board created under section 100.265, any planned industrial expansion authority created under section 100.320, the higher education loan authority created under section 173.360, the Missouri housing development commission created under section 215.020, the state environmental improvement and energy resources authority created under section 260.010, the agricultural and small business development authority created under section 348.020, any industrial development corporation created under section 349.035, or the health and educational facilities authority created under section 360.020 shall, with respect to the sales price, manner of sale and interest rate, be governed by the specific sections applicable to each of these entities.

3. **Any person who is engaged as a municipal advisor by a political corporation or subdivision with respect to a particular issue of securities shall be independent of the underwriter of that issue of securities. For the purposes of this section, “municipal advisor” shall mean a person registered as a municipal advisor under the rules of the United States Securities and Exchange Commission, and “independent” shall have the same meaning as defined by the rules of the United States Securities and Exchange Commission. In determining the individuals or entities that may serve as a municipal advisor, nothing in this section shall be construed to be more restrictive than the definition of a municipal advisor as established by the United States Securities and Exchange Commission.**

4. Notwithstanding other provisions of this section or other law, the sale of bonds, notes or other evidence of indebtedness issued by any housing authority created under section 99.040 may be sold at any sale, at the best price obtainable, not less than ninety-five percent of the par value thereof, and may bear interest at a rate not exceeding fourteen percent per annum. The sale shall be a public sale unless the issuing jurisdiction adopts a resolution setting forth clear justification why the sale should be a private sale except that private activity bonds may be sold either at public or private sale.

[4.] 5. Notwithstanding other provisions of this section or law, industrial development revenue bonds may be sold at private sale and bear interest at a rate not exceeding fourteen percent per annum at the best price obtainable, not less than ninety-five percent of the par value thereof.

[5.] 6. Notwithstanding other provisions in subsection 1 of this section to the contrary, revenue bonds issued for airport purposes by any constitutional charter city in this state which now has or may hereafter

acquire a population of more than three hundred thousand but less than six hundred thousand inhabitants, according to the last federal decennial census, may bear interest at a rate not exceeding fourteen percent per annum if sold at public sale after giving reasonable notice, at the best price obtainable, not less than ninety-five percent of the par value thereof.

[6.] 7. For purposes of the interest rate limitations set forth in this section, the interest rate on bonds, notes or other evidence of indebtedness described in this section means the rate at which the present value of the debt service payments on an issue of bonds, notes or other evidence of indebtedness, discounted to the date of issuance, equals the original price at which such bonds, notes or other evidence of indebtedness are sold by the issuer. Interest on bonds, notes or other evidence of indebtedness may be paid periodically at such times as shall be determined by the governing body of the issuer and may be compounded in accordance with section 408.080.

[7.] 8. Notwithstanding any provision of law or charter to the contrary:

(1) Any entity referenced in subsection 1 or 2 of this section and any other political corporation of the state which entity or political corporation has an annual operating budget for the current year exceeding twenty-five million dollars may, in connection with managing the cost to such entity or political corporation of purchasing fuel, electricity, natural gas, and other commodities used in the ordinary course of its lawful operations, enter into agreements providing for fixing the cost of such commodity, including without limitation agreements commonly referred to as hedges, futures, and options; provided that as of the date of such agreement, such entity or political corporation shall have complied with subdivision (3) of this subsection; and further provided that no eligible school, as defined in section 393.310, shall be authorized by this subsection to enter into such agreements in connection with the purchase of natural gas while the tariffs required under section 393.310 are in effect;

(2) Any entity referenced in subsection 1 or 2 of this section and any other political corporation of the state may, in connection with its bonds, notes, or other obligations then outstanding or to be issued and bearing interest at a fixed or variable rate, enter into agreements providing for payments based on levels of or changes in interest rates, including without limitation certain derivative agreements commonly referred to as interest rate swaps, hedges, caps, floors, and collars, provided that:

(a) As of the date of issuance of the bonds, notes, or other obligations to which such agreement relates, such entity or political corporation will have bonds, notes, or other obligations outstanding in an aggregate principal amount of at least fifty million dollars; and

(b) As of the date of such agreement, such entity's or political corporation's bonds, notes, or other obligations then outstanding or to be issued have received a stand-alone credit rating in one of the two highest categories, without regard to any gradation within such categories, from at least one nationally recognized credit rating agency, or such entity or political corporation has an issuer or general credit rating, in one of the two highest categories, without regard to any gradation within such categories, from at least one nationally recognized credit rating agency; and

(c) As of the date of such agreement, such entity or political corporation shall have complied with subdivision (3) of this subsection;

(3) Prior to entering into any agreements pursuant to subdivision (1) or (2) of this subsection, the governing body of the entity or political corporations entering into such agreements shall have adopted a written policy governing such agreements. Such policy shall be prepared by integrating the recommended practices published by the Government Finance Officers Association or comparable nationally recognized

professional organization and shall provide guidance with respect to the permitted purposes, authorization process, mitigation of risk factors, ongoing oversight responsibilities, market disclosure, financial strategy, and any other factors in connection with such agreements determined to be relevant by the governing body of such entity or political corporation. Such entity or political corporation may enter into such agreements at such times and such agreements may contain such payment, security, default, remedy, and other terms and conditions as shall be consistent with the written policy adopted under this subdivision and as may be approved by the governing body of such entity or other obligated party, including any rating by any nationally recognized rating agency and any other criteria as may be appropriate;

(4) Nothing in this subsection shall be applied or interpreted to authorize any such entity or political corporation to enter into any such agreement for investment purposes or to diminish or alter the special or general power any such entity or political corporation may otherwise have under any other provisions of law including the special or general power of any interstate transportation authority.

9. The state treasurer shall make available to municipalities, political subdivisions, or districts listed under subsection 1 of this section relevant information regarding debt issuance and bidding processes, including best practices resources published by a national association of government finance officers on debt issuance, to aid such entities with the process of issuing debt and awarding bonds to the best bidder.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 111, Page 1, Line 8, by deleting all of said line and inserting in lieu thereof the following:

“city, special district, county, or statewide office.

347.048. **1. (1)** Any limited liability company that owns and rents or leases real property, or owns unoccupied real property, located within any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county, shall file with that city’s clerk an affidavit listing the name and ~~street~~ address of at least one **natural** person who has management control and responsibility for the real property owned and leased or rented by the limited liability company, or owned by the limited liability company and unoccupied.

(2) Within thirty days following the cessation of management control and responsibility of any natural person named in an affidavit described under this section, the limited liability company shall file a successor affidavit listing the name and street address of a natural person successor.

2. No limited liability company shall be charged a fee for filing an affidavit or successor affidavit required under this section.

3. If a limited liability company required under this section to file an affidavit or a successor affidavit fails or refuses to file such completed affidavit with the appropriate clerk, any person who is adversely affected by such failure or refusal or the home rule city may petition the circuit court in the county where the property is located to direct the execution and filing of such document.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 111, Page 1, Line 8, by inserting after the word “**office.**” the following:

“135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, if said political subdivision or municipality levies ad valorem taxes, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years [following the date on which

the original enhanced enterprise zone was designated by the department], **provided, however, that during the ten years prior to the expiration of an enhanced enterprise zone no exemption shall be granted for a period of more than ten years.**

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 111, Page 1, Line 9, by inserting after said line the following:

“Further amend said bill and page, Section 473.730, Line 10, by inserting after the word “**section.**” the following:

“The secretary of state shall notify each election authority of the requirements of this section. The secretary of state will provide the necessary forms to assure compliance of the requirements of this section.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 111, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

“115.352. Any declaration of candidacy under section 115.349 shall contain either the candidate’s last name or maiden name as it appears on his or her birth certificate, or his or her current legal last name as changed through marriage or court order. No name change by common usage based on common law shall be permitted. This shall apply to any candidate for municipal, city, special district, county, or statewide office.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 111, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“115.306. 1. No person shall qualify as a candidate for elective public office in the state of Missouri who has been found guilty of or pled guilty to a felony [or misdemeanor] under the federal laws of the United States of America or to a felony under the laws of this state or an offense committed in another state that would be considered a felony in this state.

2. (1) Any person who files as a candidate for election to a public office shall be disqualified from participation in the election for which the candidate has filed if such person is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

(2) Each potential candidate for election to a public office, except candidates for a county or city committee of a political party, shall file an affidavit with the department of revenue and include a copy of the affidavit with the declaration of candidacy required under section 115.349. Such affidavit shall be in substantially the following form:

AFFIRMATION OF TAX PAYMENTS AND BONDING REQUIREMENTS:

I hereby declare under penalties of perjury that I am not currently aware of any delinquency in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or that I am a past or present corporate officer of any fee office that owes any taxes to the state, other than those taxes which may be in dispute. I declare under penalties of perjury that I am not aware of any information that would prohibit me from fulfilling any bonding requirements for the office for which I am filing.

..... Candidate's Signature

..... Printed Name of Candidate

(3) Upon receipt of a complaint alleging a delinquency of the candidate in the filing or payment of any state income taxes, personal property taxes, municipal taxes, real property taxes on the place of residence, as stated on the declaration of candidacy, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state, the department of revenue shall investigate such potential candidate to verify the claim contained in the complaint. If the department of revenue finds a positive affirmation to be false, the department shall contact the secretary of state, or the election official who accepted such candidate's declaration of candidacy, and the potential candidate. The department shall notify the candidate of the outstanding tax owed and give the candidate thirty days to remit any such outstanding taxes owed which are not the subject of dispute between the department and the candidate. If the candidate fails to remit such amounts in full within thirty days, the candidate shall be disqualified from participating in the current election and barred from refiling for an entire election cycle even if the individual pays all of the outstanding taxes that were the subject of the complaint.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 111, Page 1, In the Title, Line 3, by deleting the words “public administrators” and inserting in lieu thereof the words “political subdivisions”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

HOUSE BILLS ON THIRD READING

Senator Brown moved that **HCS** for **HB 10**, with **SCS** and **SA 4** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 4 was again taken up.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Sifton offered **SA 5**:

SENATE AMENDMENT NO. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 45, Section 10.806, Lines 4-5, by striking the following: “fifteen percent (15%)” and inserting in lieu thereof the following: “twenty-five percent (25%)”; and further amend line 8, by striking the following: “sixty percent (60%)” and inserting in lieu thereof the following: “seventy-five percent (75%)”.

Senator Sifton moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Emery, Romine, Schaaf and Schupp.

SA 5 failed of adoption by the following vote:

YEAS—Senators

Curls	Dixon	Holsman	Hummel	Libla	Nasheed	Rizzo
Romine	Rowden	Schaaf	Schupp	Sifton	Silvey	Wallingford
Walsh—15						

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Munzlinger	Onder	Richard	Riddle	Sater	Schatz
Wasson	Wieland—16					

Absent—Senators

Chappelle-Nadal	Kraus—2
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Absent with leave—Senators—None

Vacancies—1

Senator Schaaf offered **SA 6**:

SENATE AMENDMENT NO. 6

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 10, Page 45, Section 10.806, Line 9, by deleting all of said line and inserting in lieu thereof the following: “monthly Medicaid cost of nursing care, and further provided that the Consumer Directed Services Personal Care reimbursement rate shall be equal to the Basic Personal Care rate reimbursed under the In-Home Agency Model”

Senator Schaaf moved that the above amendment be adopted and requested a roll call vote be taken. He was joined in his request by Senators Curls, Romine, Schupp and Sifton.

SA 6 failed of adoption by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Libla	Nasheed
Rizzo	Romine	Schaaf	Schupp	Sifton	Silvey	Walsh—14

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Munzlinger	Onder	Richard	Riddle	Rowden	Sater
Schatz	Wallingford	Wasson	Wieland—18			

Absent—Senator Kraus—1

Absent with leave—Senators—None

Vacancies—1

Senator Brown moved that **SCS** for **HCS** for **HB 10** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 10** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Hummel	Kehoe	Koenig	Libla	Munzlinger	Nasheed	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schatz
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Holsman	Kraus	Schaaf	Schupp	Sifton	Walsh—7
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Absent—Senators

Hoskins	Silvey—2
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 11**, with **SCS**, entitled:

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds from these sections shall be

expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any entity that performs abortions not necessary to save the life of the mother or that counsels women to have an abortion not necessary to save the life of the mother.

Was taken up by Senator Brown.

SCS for HCS for HB 11, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any person who or entity which is a provider of abortion services as defined in Section 170.015, RSMo.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 11** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 30, Section 11.455, Line 17, by striking the number: “\$115,049,883” and inserting in lieu thereof the following number: “\$177,129,577”; and further amend line 18 by striking the number: “293,931,640” and inserting in lieu thereof the following number: “425,062,978”; and

Further amend said bill and page, section 11.460, line 9 by striking the number: “\$1,742,011” and inserting in lieu thereof the following number: “\$6,313,001”; and further amend line 10 by striking the number: “4,349,996” and inserting in lieu thereof the following number: “13,342,318”; and

Further amend said bill, page 32, section 11.480, line 20 by striking the number: “\$87,641,325” and inserting in lieu thereof the following number: “\$104,802,163”; and further amend line 21 by striking the number: “161,734,918” and inserting in lieu thereof the following number: “198,980,435”; and

Further amend said bill and section, page 33, line 31 by striking the number: “13,297,060” and inserting in lieu thereof the following number: “16,334,856”; and further amend line 32 by striking the number: “27,275,546” and inserting in lieu thereof the following number: “34,357,630”; and

Further amend said bill, page 34, section 11.505, line 14 by striking the number: “\$453,560,957” and inserting in lieu thereof the following number: “\$345,401,643”; and further amend line 15 by striking the number: “1,464,071,911” and inserting in lieu thereof the following number: “1,022,183,261”; and further amend line 17 by striking the number: “192,526,292” and inserting in lieu thereof the following number: “57,465,179”; and

Further amend said bill, page 35, section 11.506 by striking all of said section from the bill; and

Further amend said bill and page, section 11.510, line 11 by striking the number: “\$41,586,560” and inserting in lieu thereof the following number: “\$67,096,556”; and further amend line 12 by striking the number: “341,384,274” and inserting in lieu thereof the following number: “601,035,775”; and further amend line 13 by striking the number: “87,906,216” and inserting in lieu thereof the following number: “137,061,113”; and

Further amend section and bill totals accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Schaaf offered **SSA 1** for **SA 1**:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 30, Section 11.455, Line 17, by striking the number: “\$115,049,883” and inserting in lieu thereof the following number: “\$187,129,577”; and further amend line 18 by striking the number: “293,931,640” and inserting in lieu thereof the following number: “435,062,978”; and

Further amend said bill and page, section 11.460, line 9 by striking the number: “\$1,742,011” and inserting in lieu thereof the following number: “\$6,413,001”; and further amend line 10 by striking the number: “4,349,996” and inserting in lieu thereof the following number: “13,442,318”; and

Further amend said bill, page 32, section 11.480, line 20 by striking the number: “\$87,641,325” and inserting in lieu thereof the following number: “\$105,802,163”; and further amend line 21 by striking the number: “161,734,918” and inserting in lieu thereof the following number: “199,980,435”; and

Further amend said bill and section, page 33, line 31 by striking the number: “13,297,060” and inserting in lieu thereof the following number: “17,334,856”; and further amend line 32 by striking the number: “27,275,546” and inserting in lieu thereof the following number: “35,357,630”; and

Further amend said bill, page 34, section 11.505, line 14 by striking the number: “\$453,560,957” and inserting in lieu thereof the following number: “\$355,401,643”; and further amend line 15 by striking the number: “1,464,071,911” and inserting in lieu thereof the following number: “1,122,183,261”; and further amend line 17 by striking the number: “192,526,292” and inserting in lieu thereof the following number: “58,465,179”; and

Further amend said bill, page 35, section 11.506 by striking all of said section from the bill; and

Further amend said bill and page, section 11.510, line 11 by striking the number: “\$41,586,560” and inserting in lieu thereof the following number: “\$68,096,556”; and further amend line 12 by striking the number: “341,384,274” and inserting in lieu thereof the following number: “602,035,775”; and further amend line 13 by striking the number: “87,906,216” and inserting in lieu thereof the following number: “138,061,113”; and

Further amend section and bill totals accordingly.

Senator Schaaf moved that **SSA 1** for **SA 1** be adopted.

Senator Schaaf offered **SA 1** to **SSA 1** for **SA 1**:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bill No. 11, Page 1, Line 3, by striking the number “\$187,129,577” and inserting in lieu thereof the following: “\$176,129,577”; and further amend line 5 by striking the number “435,062,978” and inserting in lieu thereof the following: “424,062,978”; and further amend line 8 by striking the number “\$6,413,001” and inserting in lieu thereof the following: “\$6,213,001”; and further amend line 10 by striking the number “13,442,318” and inserting in lieu thereof the following: “13,242,318”; and further amend line 13 by striking the number “\$105,802,163” and inserting in lieu thereof the following: “\$103,802,163”; and further amend line 15 by striking the number “199,980,435” and inserting in lieu thereof the following: “197,980,435”; and further amend line 18 by striking the number “17,334,856” and inserting in lieu thereof the following: “16,234,856”; and further amend line 20 by striking the number “35,357,630” and inserting in lieu thereof the following: “34,257,630”; and

Further amend page 2 of said amendment, line 1 by striking the number “\$355,401,643” and inserting in lieu thereof the following: “\$344,401,643”; and further amend line 3 by striking the number “1,122,183,261” and inserting in lieu thereof the following: “1,021,183,261”; and further amend line 5 by striking the number “58,465,179” and inserting in lieu thereof the following: “56,465,179”; and further amend line 10 by striking the number “\$68,096,556” and inserting in lieu thereof the following: “\$66,096,556”; and further amend line 12 by striking the number “602,035,775” and inserting in lieu thereof the following: “600,035,775”; and further amend line 14 by striking the number “138,061,113” and inserting in lieu thereof the following: “136,061,113”.

Senator Schaaf moved the **SA 1** to **SSA 1** for **SA 1** be adopted and requested a roll call vote be taken. He was joined in his request by Senators Eigel, Hoskins, Libla and Romine.

Senator Riddle assumed the Chair.

President Parson assumed the Chair.

SA 1 to **SSA 1** for **SA 1** failed of adoption by the following vote:

YEAS—Senators

Dixon	Eigel	Emery	Holsman	Hoskins	Kraus	Libla
Romine	Schaaf	Silvey—10				

NAYS—Senators

Brown	Cunningham	Curls	Hegeman	Hummel	Kehoe	Koenig
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Rowden
Sater	Schatz	Schupp	Sifton	Wallingford	Walsh	Wasson
Wieland—22						

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

At the request of Senator Schaaf, **SSA 1** for **SA 1** was withdrawn.

At the request of Senator Schaaf, **SA 1** was withdrawn.

Senator Brown moved that **SCS** for **HCS** for **HB 11** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 11** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Hoskins	Kehoe
Koenig	Munzlinger	Onder	Richard	Riddle	Rizzo	Rowden
Sater	Schatz	Silvey	Wallingford	Wasson—19		

NAYS—Senators

Eigel	Emery	Holsman	Hummel	Kraus	Libla	Nasheed
Romine	Schaaf	Schupp	Sifton	Walsh	Wieland—13	

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for **HB 12**, with **SCS**, entitled:

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for **HCS** for **HB 12**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 12

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 12** be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Sifton offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 12, Page 3, Section 12.025, Line 9, by striking the number "278,713" and inserting in lieu thereof the following number: "1,778,713"; and

Further amend section and bill totals accordingly.

President Parson assumed the Chair.

Senator Sifton moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS** for **HCS** for **HB 12**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 12**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Koenig	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senator Kraus—1

Absent—Senators—2

Chappelle-Nadal Schaaf

Absent with leave—Senator Kehoe—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Onder moved that motion lay on the table, which motion prevailed.

HCS for HB 13, with **SCS**, entitled:

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for HCS for HB 13, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 13

An Act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 13** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS for HCS for HB 13** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Schaaf—2

Absent with leave—Senator Kehoe—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Onder moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Brown, Chairman of the Committee on Appropriations, submitted the following reports:

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 17**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 18**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Appropriations, to which was referred **HCS** for **HB 19**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 62**, entitled:

An Act to repeal sections 50.1190, 52.290, 104.1205, 137.280, 137.345, 140.100, 169.141, and 169.715, RSMo, and to enact in lieu thereof nine new sections relating to public employee retirement, with delayed effective dates for certain sections.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5 and House Amendment No. 6.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Bill No. 62, Page 1, Line 8, by inserting after all of said line the following:

“Further amend said bill, Page 2, Section 52.290, Line 27, by inserting after all of said line the following:

“86.207. 1. Except as provided herein, all persons who become policemen and all policemen who enter or reenter the service of any city not within a county after the first day of October, 1957, become members **of the system** as a condition of their employment and **during the period of their membership** shall receive no pensions or retirement allowance from any other pension or retirement system supported wholly or in part by the city not within a county or the state of Missouri, nor shall they be required to make contributions under any other pension or retirement system of the city not within a county or the state of Missouri for the same period of service[, anything to the contrary notwithstanding. Any employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and subsequently becomes a policeman may elect to remain a member of said retirement plan and shall not be required to become a member of a police retirement system established under section 86.200. However,]. **Officers employed by a city not within a county and occupying the position of “Airport Police Officer” shall not be required to become members as a condition of their employment.** An employee of a city not within a county who is earning creditable service in a retirement plan established by said city under section 95.540 and who subsequently becomes a policeman may elect to transfer [membership and] creditable service to the police retirement system created under [section] **sections 86.200 to 86.366.** Such transfers are subject to the conditions and requirements contained in section 105.691 and are also subject to any existing agreements between the said retirement plans[; provided however, transfers completed prior to January 1, 2016, shall occur without regard to the vesting requirements of the receiving plan contained in section 105.691]. As part of the transfer process described herein, the respective retirement plans may require the employee to acknowledge and agree as a condition of transfer that any election made under this section is irrevocable, constitutes a waiver of any right to receive retirement and disability benefits except as provided by the police retirement system, and that plan terms may be modified in the future.

2. If any member ceases to be in service for more than one year unless the member has attained the age of fifty-five or has twenty years or more of creditable service, or if the member withdraws the member’s accumulated contributions or if the member receives benefits under the retirement system or dies, the member thereupon ceases to be a member; except in the case of a member who has served in the Armed Forces of the United States and has subsequently been reinstated as a policeman. A member who has terminated employment as a police officer, has actually retired and is receiving retirement benefits under the system shall be considered a retired member.

3. A reserve officer shall not be considered a member of the system for the purpose of entitled to any benefits from the system other than those awarded when the reserve officer originally retired under section 86.250, nor shall service as a reserve officer prohibit distribution of those benefits.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 62, Page 1, Section 50.1190, Lines 1 to 9, by removing all of said section and lines from the bill; and

Further amend said bill, Page 2, Section 52.290, Lines 6 and 7, by deleting the phrase “**two percent**” on said lines and inserting in lieu thereof the phrase “**two-ninths**”; and

Further amend said bill, Page 2, Section 52.290, Line 9, by deleting the phrase “**five percent**” on said

line and inserting in lieu thereof the phrase “**five-ninths**”; and

Further amend said bill, Page 4, Section 104.1205, Line 33, by deleting the phrase “**two percent of the employee’s pay**” on said line; and

Further amend said bill, Page 5, Section 137.280, Lines 48 through 55, by deleting all of said lines and inserting in lieu thereof the following:

“4. If annual waivers exceed forty percent then by February first of each year, the assessor shall transmit to the county employees’ retirement fund an electronic or paper copy of the log maintained under subsection 3 of section 50.1020 for the prior calendar year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 62, Page 8, Section 169.141, Line 33, by inserting after all of said line the following:

“169.324. 1. The annual service retirement allowance payable pursuant to section 169.320 shall be the retirant’s number of years of creditable service multiplied by a percentage of the retirant’s average final compensation, determined as follows:

(1) A retirant whose last employment as a regular employee ended prior to June 30, 1999, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant’s number of years of creditable service multiplied by one and three-fourths percent of the person’s average final compensation, subject to a maximum of sixty percent of the person’s average final compensation;

(2) A retirant whose number of years of creditable service is greater than thirty-four and one-quarter on August 28, 1993, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant’s number of years of creditable service as of August 28, 1993, multiplied by one and three-fourths percent of the person’s average final compensation but shall not receive a greater annual service retirement allowance based on additional years of creditable service after August 28, 1993;

(3) A retirant who was an active member of the retirement system at any time on or after June 30, 1999, and who either retires before January 1, 2014, or is a member of the retirement system on December 31, 2013, and remains a member continuously to retirement shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant’s number of years of creditable service multiplied by two percent of the person’s average final compensation, subject to a maximum of sixty percent of the person’s final compensation;

(4) A retirant who becomes a member of the retirement system on or after January 1, 2014, including any retirant who was a member of the retirement system before January 1, 2014, but ceased to be a member for any reason other than retirement, shall receive an annual service retirement allowance payable pursuant to section 169.320 in equal monthly installments for life equal to the retirant’s number of years of creditable service multiplied by one and three-fourths percent of the person’s average final compensation, subject to a maximum of sixty percent of the person’s average final compensation;

(5) Notwithstanding the provisions of subdivisions (1) to (4) of this subsection, effective January 1, 1996, any retirant who retired on, before or after January 1, 1996, with at least twenty years of creditable

service shall receive at least three hundred dollars each month as a retirement allowance, or the actuarial equivalent thereof if the retirant elected any of the options available under section 169.326. Any retirant who retired with at least ten years of creditable service shall receive at least one hundred fifty dollars each month as a retirement allowance, plus fifteen dollars for each additional full year of creditable service greater than ten years but less than twenty years (or the actuarial equivalent thereof if the retirant elected any of the options available under section 169.326). Any beneficiary of a deceased retirant who retired with at least ten years of creditable service and elected one of the options available under section 169.326 shall also be entitled to the actuarial equivalent of the minimum benefit provided by this subsection, determined from the option chosen.

2. Except as otherwise provided in sections 169.331[, 169.580] and 169.585, payment of a retirant's retirement allowance will be suspended for any month for which such person receives remuneration from the person's employer or from any other employer in the retirement system established by section 169.280 for the performance of services except any such person other than a person receiving a disability retirement allowance under section 169.322 may serve as a nonregular substitute, part-time or temporary employee for not more than six hundred hours in any school year without becoming a member and without having the person's retirement allowance discontinued, provided that through such substitute, part-time, or temporary employment, the person may earn no more than fifty percent of the annual salary or wages the person was last paid by the employer before the person retired and commenced receiving a retirement allowance, adjusted for inflation. If a person exceeds such hours limit or such compensation limit, payment of the person's retirement allowance shall be suspended for the month in which such limit was exceeded and each subsequent month in the school year for which the person receives remuneration from any employer in the retirement system. **In addition to the conditions set forth above, the restrictions of this subsection shall also apply to any person retired and currently receiving a retirement allowance under sections 169.270 to 169.400, other than for disability, who is employed by a third party or is performing work as an independent contractor if the services performed by such person are provided to or for the benefit of any employer in the retirement system established under section 169.280. The retirement system may require the employer receiving such services, the third-party employer, the independent contractor, and the retirant subject to this subsection to provide documentation showing compliance with this subsection. If such documentation is not provided, the retirement system may deem the retirant to have exceeded the limitations provided for in this subsection.** If a retirant is reemployed by any employer in any capacity, whether pursuant to this section, or section 169.331[, 169.580,] or 169.585, or as a regular employee, the amount of such person's retirement allowance attributable to service prior to the person's first retirement date shall not be changed by the reemployment. If the person again becomes an active member and earns additional creditable service, upon the person's second retirement the person's retirement allowance shall be the sum of:

(1) The retirement allowance the person was receiving at the time the person's retirement allowance was suspended, pursuant to the payment option elected as of the first retirement date, plus the amount of any increase in such retirement allowance the person would have received pursuant to subsection 3 of this section had payments not been suspended during the person's reemployment; and

(2) An additional retirement allowance computed using the benefit formula in effect on the person's second retirement date, the person's creditable service following reemployment, and the person's average final annual compensation as of the second retirement date. The sum calculated pursuant to this subsection shall not exceed the greater of sixty percent of the person's average final compensation as of the second

retirement date or the amount determined pursuant to subdivision (1) of this subsection. Compensation earned prior to the person's first retirement date shall be considered in determining the person's average final compensation as of the second retirement date if such compensation would otherwise be included in determining the person's average final compensation.

3. The board of trustees shall determine annually whether the investment return on funds of the system can provide for an increase in benefits for retirants eligible for such increase. A retirant shall and will be eligible for an increase awarded pursuant to this section as of the second January following the date the retirant commenced receiving retirement benefits. Any such increase shall also apply to any monthly joint and survivor retirement allowance payable to such retirant's beneficiaries, regardless of age. The board shall make such determination as follows:

(1) After determination by the actuary of the investment return for the preceding year as of December thirty-first (the "valuation year"), the actuary shall recommend to the board of trustees what portion of the investment return is available to provide such benefits increase, if any, and shall recommend the amount of such benefits increase, if any, to be implemented as of the first day of the thirteenth month following the end of the valuation year, and first payable on or about the first day of the fourteenth month following the end of the valuation year. The actuary shall make such recommendations so as not to affect the financial soundness of the retirement system, recognizing the following safeguards:

(a) The retirement system's funded ratio as of January first of the year preceding the year of a proposed increase shall be at least one hundred percent after adjusting for the effect of the proposed increase. The funded ratio is the ratio of assets to the pension benefit obligation;

(b) The actuarially required contribution rate, after adjusting for the effect of the proposed increase, may not exceed the then applicable employer and member contribution rate as determined under subsection 4 of section 169.350;

(c) The actuary shall certify to the board of trustees that the proposed increase will not impair the actuarial soundness of the retirement system;

(d) A benefit increase, under this section, once awarded, cannot be reduced in succeeding years;

(2) The board of trustees shall review the actuary's recommendation and report and shall, in their discretion, determine if any increase is prudent and, if so, shall determine the amount of increase to be awarded.

4. This section does not guarantee an annual increase to any retirant.

5. If an inactive member becomes an active member after June 30, 2001, and after a break in service, unless the person earns at least four additional years of creditable service without another break in service, upon retirement the person's retirement allowance shall be calculated separately for each separate period of service ending in a break in service. The retirement allowance shall be the sum of the separate retirement allowances computed for each such period of service using the benefit formula in effect, the person's average final compensation as of the last day of such period of service and the creditable service the person earned during such period of service; provided, however, if the person earns at least four additional years of creditable service without another break in service, all of the person's creditable service prior to and including such service shall be aggregated and, upon retirement, the retirement allowance shall be computed using the benefit formula in effect and the person's average final compensation as of the last day of such period of four or more years and all of the creditable service the person earned prior to and during such

period.

6. Notwithstanding anything contained in this section to the contrary, the amount of the annual service retirement allowance payable to any retirant pursuant to the provisions of sections 169.270 to 169.400, including any adjustments made pursuant to subsection 3 of this section, shall at all times comply with the provisions and limitations of Section 415 of the Internal Revenue Code of 1986, as amended, and the regulations thereunder, the terms of which are specifically incorporated herein by reference.

7. All retirement systems established by the laws of the state of Missouri shall develop a procurement action plan for utilization of minority and women money managers, brokers and investment counselors. Such retirement systems shall report their progress annually to the joint committee on public employee retirement and the governor's minority advocacy commission.

169.560. Any person retired and currently receiving a retirement allowance pursuant to sections 169.010 to 169.141, other than for disability, may be employed in any capacity in a district included in the retirement system created by those sections on either a part-time or temporary-substitute basis not to exceed a total of five hundred fifty hours in any one school year, and through such employment may earn up to fifty percent of the annual compensation payable under the [employing] district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the [employing] school district does not utilize a salary schedule, or if the position in question is not subject to the [employing] district's salary schedule, a retiree employed in accordance with the provisions of this section may earn up to fifty percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules duly adopted by the board of trustees of the retirement system; provided that, it shall not exceed fifty percent of the annual compensation payable for the position in the [employing] school district that is most comparable to the position filled by the retiree. In any case where a retiree fills more than one position during the school year, the fifty-percent limit on permitted earning shall be based solely on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to the public education employee retirement system established by sections 169.600 to 169.715 because of earnings during such period of employment. If such a person is employed in any capacity by such a district [on a regular, full-time basis,] **in excess of the limitations set forth in this section,** the person shall not be eligible to receive the person's retirement allowance for any month during which the person is so employed. **In addition, such person [and] shall contribute to the retirement system if the person satisfies the retirement system's membership eligibility requirements. In addition to the conditions set forth above, this section shall apply to any person retired and currently receiving a retirement allowance under sections 169.010 to 169.141, other than for disability, who is employed by a third party or is performing work as an independent contractor, if such person is performing work in a district included in the retirement system as a temporary or long-term substitute teacher or in any other position that would normally require that person to be duly certificated under the laws governing the certification of teachers in Missouri if such person was employed by the district. The retirement system may require the district, the third-party employer, the independent contractor, and the retiree subject to this section to provide documentation showing compliance with this section. If such documentation is not provided, the retirement system may deem the retiree to have exceeded the limitations provided in this section."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 62, Page 4, Section 104.1205, Line 35, by inserting after all of said line the following:

“105.669. 1. Any participant of a plan who is [found guilty] **convicted** of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant’s duties as an employee on or after August 28, 2014, shall not be eligible to receive any retirement benefits from the respective plan based on service rendered on or after August 28, 2014, except a participant may still request from the respective retirement system a refund of the participant’s plan contributions, including interest credited to the participant’s account.

2. [Upon a finding of guilt, the court shall forward a notice of the court’s finding to] **The employer of any participant who is charged or convicted of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant’s duties as an employee on or after August 28, 2014, shall notify** the appropriate retirement system in which the offender was a participant[. The court shall also make a determination on the value of the money, property, or services involved in committing the offense] **and provide information in connection with such charge or conviction.** The plans shall take all actions necessary to implement the provisions of this section.

3. [The finding of guilt for] **A felony conviction based on** any of the following offenses or a substantially similar offense provided under federal law shall result in the ineligibility of retirement benefits as provided in subsection 1 of this section:

(1) The offense of felony stealing under section 570.030 when such offense involved money, property, or services valued at five thousand dollars or more [as determined by the court];

(2) The offense of felony receiving stolen property under section 570.080, **as it existed before January 1, 2017**, when such offense involved money, property, or services valued at five thousand dollars or more [as determined by the court];

(3) The offense of forgery under section 570.090;

(4) The offense of felony counterfeiting under section 570.103;

(5) The offense of bribery of a public servant under section 576.010; or

(6) The offense of acceding to corruption under section 576.020.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 62, Page 2, Section 52.290, Line 27, by inserting after all of said line the following:

“104.1091. 1. Notwithstanding any provision of the year 2000 plan to the contrary, each person who first becomes an employee on or after January 1, 2011, shall be a member of the year 2000 plan subject to the provisions of this section.

2. A member’s normal retirement eligibility shall be as follows:

(1) The member’s attainment of at least age sixty-seven and the completion of at least ten years of credited service; or the member’s attainment of at least age fifty-five with the sum of the member’s age and

credited service equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, such member's attainment of at least age sixty or the attainment of at least age fifty-five with ten years of credited service;

(2) For members of the general assembly, the member's attainment of at least age sixty-two and the completion of at least three full biennial assemblies; or the member's attainment of at least age fifty-five with the sum of the member's age and credited service equaling at least ninety;

(3) For statewide elected officials, the official's attainment of at least age sixty-two and the completion of at least four years of credited service; or the official's attainment of at least age fifty-five with the sum of the official's age and credited service equaling at least ninety.

3. A vested former member's normal retirement eligibility shall be based on the attainment of at least age sixty-seven and the completion of at least ten years of credited service.

4. A temporary annuity paid pursuant to subsection 4 of section 104.1024 shall be payable if the member has attained at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, the temporary annuity shall be payable if the member has attained at least age sixty, or at least age fifty-five with ten years of credited service.

5. A member, other than a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, shall be eligible for an early retirement annuity upon the attainment of at least age sixty-two and the completion of at least ten years of credited service. A vested former member shall not be eligible for early retirement.

6. The provisions of subsection 6 of section 104.1021 and section 104.344 as applied pursuant to subsection 7 of section 104.1021 and section 104.1090 shall not apply to members covered by this section.

7. The minimum credited service requirements of five years contained in sections 104.1018, 104.1030, 104.1036, and 104.1051 shall be ten years for members covered by this section. The normal and early retirement eligibility requirements in this section shall apply for purposes of administering section 104.1087.

8. A member shall be required to contribute four percent of the member's pay to the retirement system, which shall stand to the member's credit in his or her individual account with the system, together with investment credits thereon, for purposes of funding retirement benefits payable under the year 2000 plan, subject to the following provisions:

(1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the member under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the member's pay that is includable in the member's gross income for federal income tax purposes;

(2) Member contributions picked up by the employer shall be paid from the same source of funds used for the payment of pay to a member. A deduction shall be made from each member's pay equal to the amount of the member's contributions picked up by the employer. This deduction, however, shall not reduce the member's pay for purposes of computing benefits under the retirement system pursuant to this chapter;

(3) Member contributions so picked up shall be credited to a separate account within the member's individual account so that the amounts contributed pursuant to this section may be distinguished from the amounts contributed on an after-tax basis;

(4) The contributions, although designated as employee contributions, shall be paid by the employer in lieu of the contributions by the member. The member shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system;

(5) Interest shall be credited annually on June thirtieth based on the value in the account as of July first of the immediately preceding year at a rate of four percent. Effective June 30, 2014, and each June thirtieth thereafter, the interest crediting rate shall be equal to the investment rate that is published by the United States Department of Treasury, or its successor agency, for fifty-two week treasury bills for the relevant auction that is nearest to the preceding July first, or a successor treasury bill investment rate as approved by the board if the fifty-two week treasury bill is no longer issued. Interest credits shall cease upon termination of employment if the member is not a vested former member. Otherwise, interest credits shall cease upon retirement or death;

(6) A vested former member or a former member who is not vested may request a refund of his or her contributions and interest credited thereon. If such member is married at the time of such request, such request shall not be processed without consent from the spouse. Such member is not eligible to request a refund if such member's retirement benefit is subject to a division of benefit order pursuant to section 104.1051. Such refund shall be paid by the system after ninety days from the date of termination of employment or the request, whichever is later, and shall include all contributions made to any retirement plan administered by the system and interest credited thereon. A vested former member may not request a refund after such member becomes eligible for normal retirement. A vested former member or a former member who is not vested who receives a refund shall forfeit all the member's credited service and future rights to receive benefits from the system and shall not be eligible to receive any long-term disability benefits; provided that any member or vested former member receiving long-term disability benefits shall not be eligible for a refund. If such member subsequently becomes an employee and works continuously for at least one year, the credited service previously forfeited shall be restored if the member returns to the system the amount previously refunded plus interest at a rate established by the board;

(7) The beneficiary of any member who made contributions shall receive a refund upon the member's death equal to the amount, if any, of such contributions and interest credited thereon less any retirement benefits received by the member unless an annuity is payable to a survivor or beneficiary as a result of the member's death. In that event, the beneficiary of the survivor or beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's death equal to the amount, if any, of the member's contributions less any annuity amounts received by the member and the survivor or beneficiary.

9. The employee contribution rate, the benefits provided under the year 2000 plan to members covered under this section, and any other provision of the year 2000 plan with regard to members covered under this section may be altered, amended, increased, decreased, or repealed, but only with respect to services rendered by the member after the effective date of such alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

10. For purposes of members covered by this section, the options under section 104.1027 shall be as follows:

Option 1. A retiree's life annuity shall be reduced to a certain percent of the annuity otherwise payable. Such percent shall be eighty-eight and one half percent adjusted as follows: if the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of three-tenths of one percent for each

year the retiree's age is younger than age sixty-seven years; and if the beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of three-tenths of one percent for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the annuity starting date, an increase of three-tenths of one percent for each year of age difference; provided, after all adjustments the option 1 percent cannot exceed ninety-four and one quarter percent. Upon the retiree's death, fifty percent of the retiree's reduced annuity shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise provided by subsection 5 of this section.

Option 2. A retiree's life annuity shall be reduced to a certain percent of the annuity otherwise payable. Such percent shall be eighty-one percent adjusted as follows: if the retiree's age on the annuity starting date is younger than sixty-seven years, an increase of four-tenths of one percent for each year the retiree's age is younger than sixty-seven years; and if the beneficiary's age is younger than the retiree's age on the annuity starting date, a decrease of five-tenths of one percent for each year of age difference; and if the retiree's age is younger than the beneficiary's age on the annuity starting date, an increase of five-tenths of one percent for each year of age difference; provided, after all adjustments the option 2 percent cannot exceed eighty-seven and three quarter percent. Upon the retiree's death one hundred percent of the retiree's reduced annuity shall be paid to such beneficiary who was the retiree's spouse on the annuity starting date or as otherwise provided by subsection 5 of this section.

Option 3. A retiree's life annuity shall be reduced to ninety-three percent of the annuity otherwise payable. If the retiree dies before having received one hundred twenty monthly payments, the reduced annuity shall be continued for the remainder of the one hundred twenty-month period to the retiree's designated beneficiary provided that if there is no beneficiary surviving the retiree, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of such one hundred twenty monthly payments, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620.

Option 4. A retiree's life annuity shall be reduced to eighty-six percent of the annuity otherwise payable. If the retiree dies before having received one hundred eighty monthly payments, the reduced annuity shall be continued for the remainder of the one hundred eighty-month period to the retiree's designated beneficiary provided that if there is no beneficiary surviving the retiree, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620. If the beneficiary survives the retiree but dies before receiving the remainder of such one hundred eighty monthly payments, the present value of the remaining annuity payments shall be paid as provided under subsection 3 of section 104.620.

11. The provisions of subsection 6 of section 104.1024 shall not apply to members covered by this section.

12. Effective January 1, 2018, a member who is not a statewide elected official or a member of the general assembly shall be eligible for retirement under this subsection subject to the following conditions:

(1) A member's normal retirement eligibility shall be based on the attainment of at least age sixty-seven and the completion of at least five years of credited service; or the member's attainment of at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and subject to

the mandatory retirement provisions of section 104.081, such member's attainment of at least age sixty or the attainment of at least age fifty-five with five years of credited service;

(2) A vested former member's normal retirement eligibility shall be based on the attainment of at least age sixty-seven and the completion of at least five years of credited service;

(3) A temporary annuity paid under subsection 4 of section 104.1024 shall be payable if the member has attained at least age fifty-five with the sum of the member's age and credited service equaling at least ninety; or, in the case of a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, the temporary annuity shall be payable if the member has attained at least age sixty, or at least age fifty-five with five years of credited service;

(4) A member, other than a member who is serving as a uniformed member of the highway patrol and subject to the mandatory retirement provisions of section 104.081, shall be eligible for an early retirement annuity upon the attainment of at least age sixty-two and the completion of at least five years of credited service. A vested former member shall not be eligible for early retirement;

(5) The normal and early retirement eligibility requirements in this subsection shall apply for purposes of administering section 104.1087;

(6) The survivor annuity payable under section 104.1030 for vested former members covered by this section shall not be payable until the deceased member would have reached his or her normal retirement eligibility under this subsection;

(7) The annual cost-of-living adjustment payable under section 104.1045 will not commence until the second anniversary of a vested former member's annuity starting date for members covered by this subsection;

(8) The unused sick leave credit granted under subsection 2 of section 104.1021 will not apply to members covered by this subsection unless the member terminates employment after reaching normal retirement eligibility or becoming eligible for an early retirement annuity under this subsection; and

(9) The minimum credited service requirements of five years contained in sections 104.1018, 104.1030, 104.1036, and 104.1051 shall be five years for members covered by this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 62, Page 8, Section 169.141, Line 33, by inserting immediately after said section and line the following:

“169.460. 1. Any member may retire and receive a normal pension upon his **or her** written application to the board of trustees setting forth at what time not less than fifteen days nor more than one hundred eighty days subsequent to the execution and filing of such application he **or she** desires to be retired; provided, that the member at the time so specified for his **or her** retirement either (a) shall have attained age sixty-five or (b) shall have attained an age which when added to the number of years of credited service of such member shall total a sum not less than [eighty-five] **eighty**. For purposes of computing any member's age under this section, the board shall, if necessary, add to his **or her** actual age any accumulated and unused days of sick leave included in his **or her** credited service.

2. Upon retirement [pursuant to] **under** subsection 1 of this section, a member shall receive an annual pension payable in monthly installments **in the following manner:**

(1) A member hired prior to January 1, 2018, shall receive an annual pension payable in monthly installments equal to his or her number of years of credited service multiplied by two percent of his or her average final compensation subject to a maximum pension of sixty percent of his or her average final compensation[.]; or

(2) A member hired for the first time on or after January 1, 2018, shall receive an annual pension payable in monthly installments equal to his or her number of years of credited service multiplied by one and three-fourths percent of such member's average final compensation subject to a maximum pension of sixty percent of the member's average final compensation.

3. A member who is not eligible for normal pension pursuant to subsection 1 of this section but who has attained age sixty and has five or more years of credited service may make application in the same manner as pursuant to subsection 1 of this section for an early pension. His **or her** early pension shall be computed pursuant to subsection 2 of this section, but shall be reduced by five-ninths of one percent for each month such member's early retirement date precedes the earliest date he **or she** could have received a normal pension pursuant to subsection 1 of this section had his **or her** service continued.

4. Upon the written application of the member or of the employing board, any active member who has five or more years of credited service with such board and does not qualify for a normal pension pursuant to subsection 1 of this section may be retired by the board of trustees, not less than fifteen days and not more than one hundred eighty days next following the date of filing such application, and receive a disability pension, provided, that the medical board after a medical examination of such member or such member's medical records shall certify that such member is unable to further perform his **or her** duties due to mental or physical incapacity, and that such incapacity is likely to be permanent and that such member should be retired; or, provided the member furnishes evidence of the receipt of disability benefits under the federal Old Age, Survivors and Disability Insurance System of the Social Security Act. The determination of the board of trustees in the matter shall be final and conclusive. A member being retired pursuant to this subsection who has accumulated unused vacation and sick leave may elect to have the commencement of his **or her** disability pension deferred for more than one hundred eighty days during the period he **or she** is entitled to vacation and sick pay.

5. Upon retirement for disability, a member shall receive a disability pension until such time as he **or she** meets the requirements for a normal pension pursuant to subsection 1 of this section, at which time his **or her** disability pension will be deemed to be a normal pension. The member's disability pension shall be the larger of:

(1) A normal pension based on his **or her** credited service to the date of his **or her** retirement for disability and calculated as if he **or she** were age sixty-five; or

(2) One-fourth of his **or her** average final compensation; except that such benefit shall not exceed the normal pension which he **or she** would have received upon retirement if his **or her** service had continued and he **or she** had satisfied the eligibility requirements of subsection 1 of this section and had his **or her** final average compensation been unchanged.

6. Once each year during the first five years following retirement for disability and once in every three-year period thereafter while receiving a disability pension, the board of trustees may, and shall, require any member receiving a disability pension who has not yet become eligible for a normal pension pursuant to

subsection 1 of this section to undergo a medical examination at a place designated by the medical board or by a physician or physicians designated by such board. If any such member receiving a disability pension refuses to submit to such medical examination, his **or her** benefit may be discontinued until his **or her** withdrawal of such refusal, and if his **or her** refusal continues for one year, all rights in and to his **or her** pension may be revoked by the board of trustees.

7. If the board of trustees finds that any member receiving a disability pension is engaged in or is able to engage in a gainful occupation paying more than the difference between his **or her** disability pension plus benefits, if any, to which he **or she** and his **or her** family are eligible under the federal Old Age, Survivors and Disability Insurance System of the Social Security Act and the current rate of monthly compensation for the position he **or she** held at retirement, then the amount of his **or her** disability pension shall be reduced to an amount which together with the amount earnable by him **or her** shall equal such current rate of monthly compensation. The decisions of the board of trustees in regard to such modification of disability benefits shall be final and conclusive.

8. If any member receiving a disability pension is restored to service as an employee, he **or she** shall again become an active member of the retirement system and contribute thereunder. His **or her** credited service at the time of his **or her** retirement for disability shall be restored and the excess of his **or her** accumulated contributions at his **or her** retirement for disability over the total disability pension payments which he **or she** received shall be credited to his **or her** account.

9. If a member with fewer than five years credited service ceases to be an employee, except by death, he **or she** shall be paid the amount of his **or her** accumulated contributions in accordance with applicable provisions of the Internal Revenue Code.

10. If a member with five years or more credited service ceases to be an employee, except by death or retirement, he **or she** shall be paid on demand the amount of his **or her** accumulated contributions, or he **or she** may leave his **or her** accumulated contributions with the retirement system and be an inactive member and claim a retirement benefit at any time after he **or she** reaches the minimum age for retirement, except that if such a member's accumulated contributions do not exceed the involuntary distribution limits under provisions of the Internal Revenue Code, the member must elect to become an inactive member within thirty days of employment separation to avoid application of the involuntary distribution provisions of the Internal Revenue Code. When an inactive member presents his **or her** valid claim to the board of trustees, he **or she** shall be granted a benefit at such time and for such amount as is available pursuant to subsection 2 or 3 of this section in accordance with the provisions of law in effect at the time his **or her** active membership ceased. The accumulated contributions of an inactive member may be withdrawn at any time upon ninety days' notice or such shorter notice as is approved by the board of trustees. If an inactive member dies before retirement, his **or her** accumulated contributions shall be paid to his **or her** designated beneficiary, if living, otherwise to the estate of the member. A member's accumulated contributions shall not be paid to him **or her** so long as he **or she** remains in service as an employee.

11. Any member upon retirement shall receive his **or her** pension payable throughout life subject to the provision that if his **or her** death occurs before he **or she** has received total benefits at least as large as his **or her** accumulated contributions at retirement, the difference shall be paid in one sum to his **or her** designated beneficiary, if living, otherwise to the estate of the retired member.

12. Prior to the date of retirement pursuant to subsection 2, 3, or 4 of this section, a member may elect to receive the actuarial equivalent of his **or her** pension in a lesser amount, payable throughout life under

one of the following options with the provision that:

Option 1. Upon his **or her** death, his **or her** pension shall be continued throughout the life of and paid to his **or her** beneficiary, or

Option 2. Upon his **or her** death, one-half of his **or her** pension shall be continued throughout the life of and paid to his **or her** beneficiary, or

Option 3. Upon his **or her** death, his **or her** pension shall be continued throughout the life of and paid to his **or her** beneficiary, provided that in the event his **or her** designated beneficiary predeceases him **or her**, then his **or her** pension shall be adjusted effective the first day of the month following the month in which his **or her** designated beneficiary died to the amount determined pursuant to subsection 2 or 3 of this section at the time of his **or her** retirement, or

Option 4. Upon his **or her** death, one-half of his **or her** pension shall be continued throughout the life of and paid to his **or her** beneficiary, provided that in the event his **or her** designated beneficiary predeceases him **or her**, then his **or her** pension shall be adjusted effective the first day of the month following the month in which his **or her** designated beneficiary died to the amount determined pursuant to subsection 2 or 3 of this section at the time of his **or her** retirement.

Option 5. Prior to age sixty-two the member will receive an increased pension, where the total pension prior to age sixty-two is approximately equal to the pension after age sixty-two plus the member's estimated federal Social Security benefit, provided that the reduced pension after age sixty-two is not less than one-half the pension the member could have received had no option been elected. A member may elect a combination of Option 1 and Option 5, or Option 2 and Option 5. The survivor benefits payable to a beneficiary, other than the spouse of the retired member, under any of the foregoing options shall in no event exceed fifty percent of the actuarial equivalent of the pension determined pursuant to subsection 2 or 3 of this section at the time of retirement.

13. If an option has been elected pursuant to subsection 12 of this section, and both the retired member and beneficiary die before receiving total benefits as large as the member's accumulated contributions at retirement, the difference shall be paid to the designated beneficiary of the person last entitled to benefits, if living, otherwise to the estate of the person last entitled to benefits.

14. If an active member dies while an employee and with five or more years of credited service and a dependent of the member is designated as beneficiary to receive his **or her** accumulated contributions, such beneficiary may, in lieu thereof, request that benefits be paid under option 1, subsection 12 of this section, as if the member had attained age sixty, if the member was less than sixty years of age at the time of his **or her** death, and had retired under such option as of the date of death, provided that under the same circumstances a member may provide by written designation that benefits must be paid pursuant to option 1 to such beneficiary. In addition to benefits received under option 1, subsection 12 of this section, a surviving spouse receiving benefits under this subsection shall receive sixty dollars per month for each unmarried dependent child of the deceased member who is under twenty-two years of age and is in the care of the surviving spouse; provided, that if there are more than three such unmarried dependent children one hundred eighty dollars shall be divided equally among them. A "dependent beneficiary" for the purpose of this subsection only shall mean either the surviving spouse or a person who at the time of the death of the member was receiving at least one-half of his **or her** support from the member, and the determination of the board of trustees as to whether a person is a dependent shall be final.

15. In lieu of accepting the payment of the accumulated contributions of a member who dies after having at least eighteen months of credited service and while an employee, an eligible beneficiary or, if no surviving eligible beneficiary, the unmarried dependent children of the member under twenty-two years of age may elect to receive the benefits pursuant to subdivision (1), (2), (3), or (4) of this subsection. An “eligible beneficiary” is the surviving spouse, unmarried dependent children under twenty-two years of age or dependent parents of the member, if designated as beneficiary. A “dependent” is one receiving at least one-half of his **or her** support from the member at his **or her** death.

(1) A surviving spouse who is sixty-two years of age at the death of the member or upon becoming such age thereafter, and who was married to the member at least one year, may receive sixty dollars per month for life. A spouse may receive this benefit after receiving benefits pursuant to subdivision (2) of this subsection;

(2) A surviving spouse who has in his or her care an unmarried dependent child of the deceased member under twenty-two years of age may receive sixty dollars per month plus sixty dollars per month for each child under twenty-two years of age but not more than a total of two hundred forty dollars per month;

(3) If no benefits are payable pursuant to subdivision (2) of this subsection, unmarried dependent children under the age of twenty-two may receive sixty dollars each per month; provided that if there are more than three such children one hundred eighty dollars per month shall be divided equally among them;

(4) A dependent parent upon attaining sixty-two years of age may receive sixty dollars per month as long as not remarried provided no benefits are payable at any time pursuant to subdivision (1), (2), or (3) of this subsection. If there are two dependent parents entitled to benefits, sixty dollars per month shall be divided equally between them;

(5) If the benefits pursuant to this subsection are elected and the total amount paid is less than an amount equal to the accumulated contributions of a member at his **or her** death, the difference shall be payable to the beneficiary or the estate of the beneficiary last entitled to benefits.

16. If a member receiving a normal pension again becomes an active member, his **or her** pension benefit payments shall cease during such membership and shall be resumed upon subsequent retirement together with such pension benefit as shall accrue by reason of his **or her** latest period of membership. Except as otherwise provided in section 105.269, a retired member may not receive a pension benefit for any month for which he **or she** receives compensation from an employing board, except he **or she** may serve as a part-time or temporary employee for not to exceed sixty days in any calendar year without becoming a member and without having his **or her** pension benefit discontinued. A retired member may also serve as a member of the board of trustees and receive any reimbursement for expenses allowed him **or her** because of such service without becoming an active member and without having his **or her** pension benefit discontinued or reduced.

17. Upon approval of the board of trustees, any member may make contributions in addition to those required. Any additional contributions shall be accumulated at interest and paid in addition to the benefits provided hereunder. The board of trustees shall make such rules and regulations as it deems appropriate in connection with additional contributions including limitations on amounts of contributions and methods of payment of benefits.

18. Notwithstanding any other provisions of this section, any member retiring on or after age sixty-five who has five or more years of credited service shall be entitled to an annual pension of the lesser of (a) an

amount equal to his **or her** number of years of credited service multiplied by one hundred twenty dollars, or (b) one thousand eight hundred dollars. Upon the death of such member, any benefits payable to the beneficiary of such member shall be computed as otherwise provided.

169.490. **1.** All the assets of the retirement system shall be held as one fund.

[1.] **2. (1) For any member hired before January 1, 2018,** the employing board shall cause to be deducted from the compensation of each member at every payroll period five percent of his **or her** compensation[, and].

(2) Beginning January 1, 2018, the percentage in subdivision (1) of this subsection shall increase one-half of one percent annually until such time as the percentage equals nine percent.

(3) For any member hired for the first time on or after January 1, 2018, the employing board shall cause to be deducted from the compensation of each member at every payroll period nine percent of such member's compensation.

(4) The amounts so deducted shall be transferred to the board of trustees and credited to the individual account of each member from whose compensation the deduction was made. In determining the amount earnable by a member in any payroll period, the board of trustees may consider the rate of earnable compensation payable to such member on the first day of the payroll period as continuing throughout such payroll period; it may omit deduction from compensation for any period less than a full payroll period if the employee was not a member on the first day of the payroll period; and to facilitate the making of the deductions, it may modify the deduction required of any member by such amount as shall not exceed one-tenth of one percent of the compensation upon the basis of which such deduction was made.

[2]] **(5)** The deductions provided for herein are declared to be a part of the salary of the member and the making of such deductions shall constitute payments by the member out of his **or her** salary or earnings and such deductions shall be made notwithstanding that the minimum compensation provided by law for any member shall be reduced thereby. Every member shall be deemed to consent to the deductions made and provided for herein, and shall receipt for his **or her** full salary or compensation, and the making of said deductions and the payment of salary or compensation less said deduction shall be a full and complete discharge and acquittance of all claims and demands whatsoever for services rendered during the period covered by the payment except as to benefits provided by sections 169.410 to 169.540.

[3]] **(6)** The employing board may elect to pay member contributions required by this section as an employer pick up of employee contributions under Section 414(h)(2) of the Internal Revenue Code of 1986, as amended, and such contributions picked up by the employing board shall be treated as contributions made by members for all purposes of sections 169.410 to 169.540.

[2.] **3.** If a retired member receiving a pension pursuant to sections 169.410 to 169.540 is restored to active service and again becomes an active member of the retirement system, there shall be credited to his **or her** individual account an amount equal to the excess, if any, of his **or her** accumulated contributions at retirement over the total pension benefits paid to him **or her**.

[3.] **4.** Annually, the actuary for the retirement system shall calculate each employer's contribution as an amount equal to a certain percentage of the total compensation of all members employed by that employer. The percentage shall be fixed on the basis of the liabilities of the retirement system as shown by the annual actuarial valuation. The annual actuarial valuation shall be made on the basis of such actuarial assumptions and the actuarial cost method adopted by the board of trustees, provided that the actuarial cost method adopted shall be in accordance with generally accepted actuarial standards and that the unfunded

actuarial accrued liability, if any, shall be amortized by level annual payments over a period not to exceed thirty years. **The provisions of this subsection shall expire on December 31, 2017. Thereafter subsection 5 of this section shall apply.**

5. For calendar year 2018, the rate of contribution payable by each employer shall equal sixteen percent of the total compensation of all members employed by that employer. For each calendar year thereafter, the percentage rate of contribution payable by each employer of the total compensation of all members employed by that employer shall decrease one-half of one percent annually until calendar year 2032 when the rate of contribution payable by each employer shall equal nine percent of the total compensation of all members employed by that employer. For subsequent calendar years after 2032, the rate of contribution payable by each employer shall equal nine percent of the total compensation of all members employed by that employer.

[4.] **6.** The expense and contingency reserve shall be a reserve for investment contingencies and estimated expenses of administration of the retirement system as determined annually by the board of trustees.

[5.] **7.** Gifts, devises, bequests and legacies may be accepted by the board of trustees to be held and invested as a part of the assets of the retirement system and shall not be separately accounted for except where specific direction for the use of a gift is made by a donor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 62, Page 2, Section 52.290, Line 27, by inserting immediately after said section and line the following:

“58.095. 1. The county coroner in any county, other than in a first classification chartered county, shall receive an annual salary computed on a basis as set forth in the following schedule. The provisions of this section shall not permit or require a reduction in the amount of compensation being paid for the office of coroner on January 1, 1997:

Assessed Valuation	Salary
\$ 18,000,000 to 40,999,999	\$8,000
41,000,000 to 53,999,999	8,500
54,000,000 to 65,999,999	9,000
66,000,000 to 85,999,999	9,500
86,000,000 to 99,999,999	10,000
100,000,000 to 130,999,999	11,000
131,000,000 to 159,999,999	12,000
160,000,000 to 189,999,999	13,000
190,000,000 to 249,999,999	14,000
250,000,000 to 299,999,999	15,000
300,000,000 or more	16,000

2. One thousand dollars of the salary authorized in this section shall be payable to the coroner only if the coroner has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the coroner's office when approved by [a professional association of the county coroners of Missouri] **the Missouri Coroners' and Medical Examiners' Association** unless exempted from the training by the [professional association] **Missouri Coroners' and Medical Examiners' Association**. The [professional association approving the program] **Missouri Coroners' and Medical Examiners' Association** shall provide a certificate of completion to each coroner who completes the training program and shall send a list of certified coroners to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county coroner in the same manner as other expenses as may be appropriated for that purpose. All elected or appointed coroners, deputy coroners, and assistants to the coroner shall complete the annual training described in this subsection within six months of election or appointment.

3. The county coroner in any county, other than a first classification charter county, shall not, except upon two-thirds vote of all the members of the salary commission, receive an annual compensation in an amount less than the total compensation being received for the office of county coroner in the particular county for services rendered or performed on the date the salary commission votes.

4. For the term beginning in 1997, the compensation of the coroner, in counties in which the salary commission has not voted to pay one hundred percent of the maximum allowable salary, shall be a percentage of the maximum allowable salary established by this section. The percentage applied shall be the same percentage of the maximum allowable salary received or allowed, whichever is greater, to the presiding commissioner or sheriff, whichever is greater, of that county for the year beginning January 1, 1997. In those counties in which the salary commission has voted to pay one hundred percent of the maximum allowable salary, the compensation of the coroner shall be based on the maximum allowable salary in effect at each time a coroner's term of office commences following the vote to pay one hundred percent of the maximum allowable compensation. Subsequent compensation shall be determined as provided in section 50.333.

5. Effective January 1, 1997, the county coroner in any county, other than a county of the first classification with a charter form of government, may, upon the approval of the county commission, receive additional compensation for any month during which investigations or other services are performed for three or more decedents in the same incident during such month. The additional compensation shall be an amount that when added to the regular compensation the sum shall equal the monthly compensation of the county sheriff.

58.208. 1. For any death certificate certified under section 193.145, there shall be a fee of one dollar, which shall be deposited into the Missouri state coroners' training fund established under subsection 2 of this section. Moneys in such fund shall be used by the Missouri Coroners' and Medical Examiners' Association:

(1) For training equipment and supplies necessary to operate such fund; and

(2) To provide aid to training programs approved by the Missouri Coroners' and Medical Examiners' Association.

2. (1) There is hereby created in the state treasury the "Missouri State Coroners' Training Fund", which shall consist of moneys collected under subsection 1 of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may

approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of subsection 1 of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.”; and

Further amend said bill, Page 9, Section 169.715, Line 33, by inserting immediately after said section and line the following:

“193.145. 1. A certificate of death for each death which occurs in this state shall be filed with the local registrar, or as otherwise directed by the state registrar, within five days after death and shall be registered if such certificate has been completed and filed pursuant to this section. All data providers in the death registration process, including, but not limited to, the state registrar, local registrars, the state medical examiner, county medical examiners, coroners, funeral directors or persons acting as such, embalmers, sheriffs, attending physicians and resident physicians, physician assistants, assistant physicians, advanced practice registered nurses, and the chief medical officers of licensed health care facilities, and other public or private institutions providing medical care, treatment, or confinement to persons, shall be required to use and utilize any electronic death registration system required and adopted under subsection 1 of section 193.265 within six months of the system being certified by the director of the department of health and senior services, or the director’s designee, to be operational and available to all data providers in the death registration process. However, should the person or entity that certifies the cause of death not be part of, or does not use, the electronic death registration system, the funeral director or person acting as such may enter the required personal data into the electronic death registration system and then complete the filing by presenting the signed cause of death certification to the local registrar, in which case the local registrar shall issue death certificates as set out in subsection 2 of section 193.265. Nothing in this section shall prevent the state registrar from adopting pilot programs or voluntary electronic death registration programs until such time as the system can be certified; however, no such pilot or voluntary electronic death registration program shall prevent the filing of a death certificate with the local registrar or the ability to obtain certified copies of death certificates under subsection 2 of section 193.265 until six months after such certification that the system is operational.

2. If the place of death is unknown but the dead body is found in this state, the certificate of death shall be completed and filed pursuant to the provisions of this section. The place where the body is found shall be shown as the place of death. The date of death shall be the date on which the remains were found.

3. When death occurs in a moving conveyance in the United States and the body is first removed from the conveyance in this state, the death shall be registered in this state and the place where the body is first removed shall be considered the place of death. When a death occurs on a moving conveyance while in international waters or air space or in a foreign country or its air space and the body is first removed from the conveyance in this state, the death shall be registered in this state but the certificate shall show the actual place of death if such place may be determined.

4. The funeral director or person in charge of final disposition of the dead body shall file the certificate of death. The funeral director or person in charge of the final disposition of the dead body shall obtain or verify and enter into the electronic death registration system:

(1) The personal data from the next of kin or the best qualified person or source available;

(2) The medical certification from the person responsible for such certification if designated to do so under subsection 5 of this section; and

(3) Any other information or data that may be required to be placed on a death certificate or entered into the electronic death certificate system including, but not limited to, the name and license number of the embalmer.

5. The medical certification shall be completed, attested to its accuracy either by signature or an electronic process approved by the department, and returned to the funeral director or person in charge of final disposition within seventy-two hours after death by the physician, physician assistant, assistant physician, **or** advanced practice registered nurse in charge of the patient's care for the illness or condition which resulted in death. In the absence of the physician, physician assistant, assistant physician, advanced practice registered nurse or with the physician's, physician assistant's, assistant physician's, or advanced practice registered nurse's approval the certificate may be completed and attested to its accuracy either by signature or an approved electronic process by the physician's associate physician, the chief medical officer of the institution in which death occurred, or the physician who performed an autopsy upon the decedent, provided such individual has access to the medical history of the case, views the deceased at or after death and death is due to natural causes. The person authorized to complete the medical certification may, in writing, designate any other person to enter the medical certification information into the electronic death registration system if the person authorized to complete the medical certificate has physically or by electronic process signed a statement stating the cause of death. Any persons completing the medical certification or entering data into the electronic death registration system shall be immune from civil liability for such certification completion, data entry, or determination of the cause of death, absent gross negligence or willful misconduct. The state registrar may approve alternate methods of obtaining and processing the medical certification and filing the death certificate. The Social Security number of any individual who has died shall be placed in the records relating to the death and recorded on the death certificate.

6. When death occurs from natural causes more than thirty-six hours after the decedent was last treated by a physician, physician assistant, assistant physician, advanced practice registered nurse, the case shall be referred to the county medical examiner or coroner or physician or local registrar for investigation to determine and certify the cause of death. If the death is determined to be of a natural cause, the medical examiner or coroner or local registrar shall refer the certificate of death to the attending physician, physician assistant, assistant physician, **or** advanced practice registered nurse for such certification. If the attending physician, physician assistant, assistant physician, **or** advanced practice registered nurse refuses or is otherwise unavailable, the medical examiner or coroner or local registrar shall attest to the accuracy of the certificate of death either by signature or an approved electronic process within thirty-six hours.

7. If the circumstances suggest that the death was caused by other than natural causes, the medical examiner or coroner shall determine the cause of death and shall [complete and attest to the accuracy], either by signature or an approved electronic process, **complete and attest to the accuracy of** the medical certification within seventy-two hours after taking charge of the case.

8. If the cause of death cannot be determined within seventy-two hours after death, the attending medical examiner, coroner, attending physician, physician assistant, assistant physician, advanced practice registered nurse, or local registrar shall give the funeral director, or person in charge of final disposition of the dead body, notice of the reason for the delay, and final disposition of the body shall not be made until

authorized by the medical examiner, coroner, attending physician, physician assistant, assistant physician, advanced practice registered nurse, or local registrar.

9. When a death is presumed to have occurred within this state but the body cannot be located, a death certificate may be prepared by the state registrar upon receipt of an order of a court of competent jurisdiction which shall include the finding of facts required to complete the death certificate. Such a death certificate shall be marked “Presumptive”, show on its face the date of registration, and identify the court and the date of decree.

10. (1) The department of health and senior services shall notify all physicians, physician assistants, assistant physicians, and advanced practice registered nurses licensed under chapters 334 and 335 of the requirements regarding the use of the electronic vital records system provided for in this section.

(2) On or before August 30, 2015, the department of health and senior services, division of community and public health shall create a working group comprised of representation from the Missouri electronic vital records system users and recipients of death certificates used for professional purposes to evaluate the Missouri electronic vital records system, develop recommendations to improve the efficiency and usability of the system, and to report such findings and recommendations to the general assembly no later than January 1, 2016.

11. Notwithstanding any provision of law, if a coroner is not current or is without the approved training required under chapter 58, the department of health and senior services may prohibit such coroner from attesting to the accuracy of the certificate of death.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 2**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 3**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 4**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House

refuses to adopt **SCS** for **HCS** for **HB 5**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 6**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 7**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 8**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 9**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 10**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 50** and has taken up and passed **SCS** for **HCS** for **HB 50**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HCS** for **HB 14** and has taken up and passed **SCS** for **HCS** for **HB 14**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS**, as amended for **SCS** for **HCS** for **HBs 339 & 714** and has taken up and passed **SS** for **SCS** for **HCS** for **HBs 339 & 714**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SCS** for **HB 51** and has taken up and passed **SCS** for **HB 51**.

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 849, regarding Susan K. Wright, Wright City, which was adopted.

Senator Libla offered Senate Resolution No. 850, regarding the death of Samuel E. “Sam” Overfelt, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 851, regarding Jennifer Hassler, which was adopted.

Senator Emery offered Senate Resolution No. 852, regarding the Admirals’ Anchor monument, Lamar, which was adopted.

Senator Libla offered Senate Resolution No. 853, regarding Stan Berry, Poplar Bluff, which was adopted.

INTRODUCTION OF GUESTS

Senator Kehoe introduced to the Senate, teachers and fourth grade students from St. Peters Interparish School, Jefferson City.

Senator Wasson introduced to the Senate, Head Coach Steve Frank, Assistant Coach Jesse Alsup; and Paige Danielson, Abby Oliver, Taylor Chrisman, Kyndall Compton, Mica Chadwell, Kayley Frank, Zoey Mullings, Madylin Wiertzema, Madalynn Ward, Taylor Treat, Logan Jones, Kayla Eagleburger, Hayley Frank and Alissa Collette, 2017 Class 3 State Champion Strafford High School Basketball Lady Indians.

Senator Riddle introduced to the Senate, Ste’Quan Scott, Tyra Rogers, Jeremy Matias-Flores and Marcus Smith, St. Louis; Scotty Percy, Piedmont; Anaida Gill, Columbia; Melissa Davis, Fulton; and Chris Scott, Rolla, students from the Missouri School for the Deaf.

Senator Rowden introduced to the Senate, Athletic Director Jim Sterk, University of Missouri, Columbia.

Senator Hoskins introduced to the Senate, Terry Thompson, Higginsville.

Senator Kehoe introduced to the Senate, Dustin Gumm, Westphalia.

Senator Silvey introduced to the Senate, Mrs. Pruitt and eighth grade students, St. Charles School, Gladstone.

Senator Holsman introduced to the Senate, former Minnesota State Senator Jane Krentz; and Dylan McDowell, Washington, D.C.

Senator Brown introduced to the Senate, Helen Hamlin, Rolla.

Senator Hegeman introduced to the Senate, his sister, Nancy Langemach, Savannah, and her daughter, Kristin, Grain Valley.

Senator Kehoe introduced to the Senate, representatives of Helias Catholic High School Z-Club; and Nanette Ward, Jefferson City.

On motion of Senator Onder, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FIRST DAY—THURSDAY, APRIL 27, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler
HCS for HB 619
HCS for HB 162
HB 97-Swan
HCS for HB 293
HCS for HB 219
HCS for HB 324
HCS for HB 746

HCS for HB 194
HCS for HBs 960, 962 & 828
HCS for HB 670
HB 743-Conway
HB 824-Reiboldt
HCS for HB 384
HCS for HB 886

THIRD READING OF SENATE BILLS

SS#2 for SCS for SB 313-Koenig
(In Fiscal Oversight)
SS for SCS for SB 49-Walsh
(In Fiscal Oversight)

SS for SB 490-Schupp

SENATE BILLS FOR PERFECTION

1. SB 495-Riddle, with SCS
2. SB 532-Hoskins
3. SB 518-Emery
4. SB 341-Nasheed, with SCS
5. SJR 5-Emery, with SCS
6. SB 305-Kehoe, et al
7. SB 535-Wallingford
8. SB 523-Sater, with SCS
9. SB 480-Kraus
10. SB 407-Riddle, with SCS
11. SB 353-Wallingford, with SCS

12. SB 380-Riddle
13. SB 297-Hummel, with SCS
14. SB 474-Schatz
15. SB 483-Holsman
16. SB 498-Nasheed
17. SB 251-Kehoe, with SCS
18. SB 528-Hegeman
19. SB 307-Munzlinger
20. SB 472-Hoskins
21. SB 524-Koenig, with SCS

HOUSE BILLS ON THIRD READING

1. HB 288-Fitzpatrick (Kehoe)
2. HCS for HB 151 (Silvey)
(In Fiscal Oversight)
3. HB 850-Davis (Kraus)

4. HCS for HB 452 (Rowden)
5. HCS for HB 831, with SCS (Hummel)
(In Fiscal Oversight)
6. HCS for HB 381, with SCS (Hegeman)

- | | |
|---|---|
| 7. HB 58-Haefner (Onder) | 34. HB 909-Fraker (Wasson) |
| 8. HB 175-Reiboldt, with SCS (Munzlinger) | 35. HCS for HB 631, with SCS (Emery) |
| 9. HB 327-Morris (Curls) | 36. HCS for HB 348 (Romine) |
| (In Fiscal Oversight) | 37. HJR 10-Brown (Romine) |
| 10. HB 680-Fitzwater, with SCS (Wasson) | 38. HCS#2 for HB 502 (Rowden) |
| 11. HCS for HB 57-Haefner, with SCS | 39. HCS for HB 304, with SCS (Koenig) |
| (Libla) (In Fiscal Oversight) | 40. HB 871-Davis, with SCS (Kraus) |
| 12. HCS for HB 422 (Dixon) | 41. HB 843-McGaugh, with SCS (Hegeman) |
| 13. HB 245-Rowland, with SCS | 42. HB 200-Fraker, with SCS (Sater) |
| (Cunningham) (In Fiscal Oversight) | 43. HCS for HB 703 (Hegeman) |
| 14. HB 262-Sommer (Hoskins) | 44. HB 956-Kidd, with SCS (Rizzo) |
| 15. HCS for HB 270 (Rowden) | 45. HCS for HB 199, with SCS (Cunningham) |
| 16. HCS for HB 661, with SCS (Emery) | 46. HB 87-Henderson, with SCS (Romine) |
| (In Fiscal Oversight) | 47. HB 587-Redmon, with SCS (Hegeman) |
| 17. HB 758-Cookson, with SCS (Romine) | 48. HCS for HB 258, with SCS (Munzlinger) |
| 18. HCS for HB 138, with SCS (Onder) | 49. HB 349-Brown, with SCS (Sater) |
| 19. HCS for HB 441 (Rowden) | 50. HCS for HB 316, with SCS |
| 20. HCS for HB 253, with SCS (Romine) | (Wallingford) |
| 21. HB 94-Lauer (Romine) | 51. HB 558-Ross, with SCS (Schatz) |
| 22. HB 248-Fitzwater, with SCS | 52. HB 586-Rhoads (Rowden) |
| (Cunningham) (In Fiscal Oversight) | 53. HB 256-Rhoads, with SCS (Munzlinger) |
| 23. HB 289-Fitzpatrick, with SCS | 54. HCS for HB 645 (Sater) |
| (Rowden) (In Fiscal Oversight) | 55. HCS for HB 183 (Nasheed) |
| 24. HB 493-Bondon, with SCS (Silvey) | 56. HCS for HB 542 (Schatz) |
| 25. HB 52-Andrews (Hegeman) | 57. HB 61-Alferman (Schatz) |
| 26. HCS for HB 647, with SCS (Sater) | 58. HB 128, HB 678, HB 701 & |
| 27. HCS for HB 353, with SCS (Sater) | HB 964-Davis, with SCS (Richard) |
| 28. HCS for HB 54, with SCS (Emery) | 59. HB 811-Ruth (Wieland) |
| 29. HB 355-Bahr (Eigel) | 60. HB 805-Basye (Rowden) |
| 30. HCS for HB 122, with SCS (Onder) | 61. HB 664-Korman (Riddle) |
| 31. HCS for HB 230, with SCS (Koenig) | 62. HCS for HB 17, with SCS (Brown) |
| 32. HB 700-Cookson, with SCS (Libla) | 63. HCS for HB 18, with SCS (Brown) |
| 33. HB 1045-Haahr (Wasson) | 64. HCS for HB 19, with SCS (Brown) |
| (In Fiscal Oversight) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|---------------------------------------|
| SB 5-Richard | SCS & SA 1 (pending) |
| SB 6-Richard, with SCS | SB 41-Wallingford and Emery, with SS, |
| SB 13-Dixon | SA 1 & SA 1 to SA 1 (pending) |
| SB 20-Brown | SBs 44 & 63-Romine, with SCS |
| SB 21-Brown | SB 46-Libla, with SCS |
| SB 28-Sater, with SCS (pending) | SB 61-Hegeman, with SCS |
| SB 32-Emery, with SCS | SB 67-Onder, et al, with SS, SA 1 & |
| SBs 37 & 244-Silvey, with SCS, SS for | SSA 1 for SA 1 (pending) |

SB 68-Onder and Nasheed	SB 209-Wallingford
SB 76-Munzlinger	SB 210-Onder, with SCS
SB 80-Wasson, with SCS	SB 220-Riddle, with SCS & SS for SCS (pending)
SB 81-Dixon	SB 221-Riddle
SB 83-Dixon	SB 223-Schatz, with SCS
SB 85-Kraus, with SCS	SB 227-Koenig, with SCS
SB 96-Sater and Emery	SB 228-Koenig, with SS & SA 1 (pending)
SB 97-Sater, with SCS	SB 230-Riddle
SB 102-Cunningham, with SCS	SB 232-Schatz
SB 103-Wallingford	SB 233-Wallingford
SB 109-Holsman, with SCS	SB 234-Libla, with SCS
SB 115-Schupp, with SCS	SB 239-Rowden, with SCS
SB 117-Schupp, with SCS	SB 242-Emery, with SCS
SB 122-Munzlinger, with SCS	SB 243-Hegeman
SB 123-Munzlinger	SB 247-Kraus, with SCS
SB 126-Wasson	SB 250-Kehoe
SB 129-Dixon and Sifton, with SCS	SB 252-Dixon, with SCS
SB 130-Kraus, with SCS	SB 258-Munzlinger
SB 133-Chappelle-Nadal	SB 259-Munzlinger
SB 138-Sater	SB 260-Munzlinger
SB 141-Emery	SB 261-Munzlinger
SB 142-Emery	SB 262-Munzlinger
SB 144-Wallingford	SB 263-Riddle
SB 145-Wallingford, with SCS	SB 264-Dixon
SB 147-Romine	SB 267-Schatz, with SCS
SB 156-Munzlinger, with SCS	SB 271-Wasson and Richard, with SCS
SB 157-Dixon, with SCS	SB 280-Hoskins, with SCS
SB 158-Dixon	SB 284-Hegeman, with SCS
SB 163-Romine	SBs 285 & 17-Koenig, with SCS
SB 169-Dixon, with SCS	SB 286-Rizzo
SB 171-Dixon and Sifton, with SCS	SB 290-Schatz, with SCS
SB 176-Dixon	SB 295-Schaaf, with SCS
SB 177-Dixon, with SCS	SB 298-Curls
SB 178-Dixon	SB 303-Wieland, with SCS
SB 180-Nasheed, with SCS	SB 311-Wasson, with SCS
SB 183-Hoskins, with SCS	SBs 314 & 340-Schatz, et al, with SCS
SB 184-Emery, with SS (pending)	SB 316-Rowden, with SCS
SB 185-Onder, et al, with SCS	SB 325-Kraus
SB 188-Munzlinger, with SCS	SBs 327, 238 & 360-Romine, with SCS
SB 189-Kehoe, with SCS	SB 328-Romine, with SCS & SA 3 (pending)
SB 190-Emery, with SCS & SS#2 for SCS (pending)	SB 330-Munzlinger
SB 196-Koenig	SB 331-Hegeman
SB 199-Wasson	SB 333-Schaaf, with SCS
SB 200-Libla	SB 336-Wieland
SB 201-Onder, with SCS	SB 348-Wasson, with SA 1 (pending)
SB 203-Sifton, with SCS	SB 349-Wasson
SB 207-Sifton	SB 358-Wieland

SB 362-Hummel	SB 426-Wasson, with SCS
SB 368-Rowden	SB 427-Wasson
SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)	SB 430-Cunningham, with SCS
SB 378-Wallingford	SB 433-Sater, with SCS
SB 379-Schatz	SB 435-Cunningham, with SCS
SB 381-Riddle	SB 442-Hegeman
SB 383-Eigel and Wieland	SB 445-Rowden
SB 384-Rowden, with SCS	SB 448-Emery
SB 389-Sater, with SCS	SB 451-Nasheed, with SS (pending)
SB 391-Munzlinger	SB 468-Hegeman
SB 392-Holsman	SB 469-Schatz
SB 406-Wasson and Sater	SB 475-Schatz
SB 409-Koenig	SB 485-Hoskins
SB 410-Schatz	SB 517-Wasson
SB 413-Munzlinger	SB 526-Brown
SB 418-Hegeman, with SCS	SJR 9-Romine, with SCS
SB 419-Riddle	SJR 11-Hegeman, with SCS
SB 422-Cunningham, with SCS	SJR 12-Eigel
	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HCS for HBs 302 & 228, with SCS, SS for SCS & SA 5 (pending) (Schatz)
HCS for HB 66, with SCS (Sater)	HB 336-Shull (Wieland)
HB 85-Redmon, with SCS (Hegeman)	HCS for HBs 337, 259 & 575 (Schatz)
HCS for HBs 91, 42, 131, 265 & 314 (Brown)	HCS for HB 427, with SCS (Kehoe)
HB 93-Lauer, with SCS (Wasson)	HCS for HB 451 (Wasson)
HB 95-McGaugh (Emery)	HCS for HB 460 (Munzlinger)
HB 104-Love (Brown)	HB 461-Kolkmeier (Munzlinger)
HCS for HB 115, with SCS (Wasson)	HB 462-Kolkmeier (Munzlinger)
HCS for HBs 190 & 208 (Eigel)	HB 655-Engler (Dixon)
HB 207-Fitzwater (Romine)	HCS for HBs 1194 & 1193 (Hegeman)
HB 251-Taylor, with SCS, SS for SCS, SA 2 & SA 3 to SA 2 (pending) (Onder)	HCB 3-Fitzpatrick, with SA 2 (pending) (Koenig)
HCS for HB 292, with SCS (Cunningham)	

SENATE BILLS WITH HOUSE AMENDMENTS

SB 8-Munzlinger, with HA 1, HA 2, HA 3, a.a., HA 4, HA 5, HA 6, HA 7, HA 8, a.a. & HA 9, a.a.	SB 64-Schatz, with HA 1, HA 2 & HA 3 SS for SCS for SB 66-Schatz, with HCS, as amended
SS for SB 62-Hegeman, with HCS, as amended	SB 111-Hegeman, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

Requests to Recede or Grant Conference

HCS for HB 2, with SCS, as amended
(Brown) (House requests Senate
recede or grant conference)

HCS for HB 3, with SCS (Brown) (House
requests Senate recede or grant
conference)

HCS for HB 4, with SCS (Brown) (House
requests Senate recede or grant
conference)

HCS for HB 5, with SCS (Brown) (House
requests Senate recede or grant
conference)

HCS for HB 6, with SCS, as amended
(Brown) (House requests Senate
recede or grant conference)

HCS for HB 7, with SCS (Brown) (House
requests Senate recede or grant
conference)

HCS for HB 8, with SCS (Brown) (House
requests Senate recede or grant
conference)

HCS for HB 9, with SCS (Brown) (House
requests Senate recede or grant
conference)

HCS for HB 10, with SCS (Brown) (House
requests Senate recede or grant
conference)

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate
recede or grant conference)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 18-Wallingford
HCS for HCR 19 (Kehoe)

HCR 28-Rowland (Rowden)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FIRST DAY—THURSDAY, APRIL 27, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord ... declares: ‘Those who honor me I will honor, and those who despise me shall be treated with contempt.’” (1 Samuel 2:30)

Almighty God: help us to live each day honoring You our God and may we find ways of expressing our thankfulness in the way we act and the things we accomplish, the way we treat others and the way we express love to those You have given us to love. And may we find joy in Your presence this day and weekend as we find ourselves in our community of faith singing Your praise and bringing our prayers before You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Kraus, Chairman of the Committee on Ways and Means, submitted the following reports:

Mr. President: Your Committee on Ways and Means, to which was referred **HB 105**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Ways and Means, to which was referred **HB 849**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS** for **HCR 47**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 35**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCR 6**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

HOUSE CONCURRENT RESOLUTION NO. 6

WHEREAS, on April 19, 1775, the Continental Army engaged in the first battles of the Revolutionary War, known as the Battles of Lexington and Concord. The battles marked the outbreak of open armed conflict between the Kingdom of Great Britain and thirteen of its colonies on the mainland of British America to establish American independence; and

WHEREAS, the first Militia units (transforming into today's National Guard) were established in the Massachusetts Bay Colonies on December 13, 1636, armed to protect American citizens; and

WHEREAS, between 1775 and today over 41 million Americans have served in the Armed Forces of the United States, in addition to countless Militiamen between 1636 and 1775; and

WHEREAS, the United States suffered casualties of over 1.4 million men and women who have made the ultimate sacrifice defending democracy and freedom, including scores of Missouri citizens who sacrificed their lives in defense of our country; and

WHEREAS, the people of Missouri wish to properly honor and thank the individual casualties and their families for their sacrifice and bravery; and

WHEREAS, war memorials are important reminders that freedom is not free and the soon-to-be constructed Gold Star Families Memorial Monument, located on the College of the Ozarks campus, will be dedicated to perpetuate the appreciation and legacy of our fallen hero warriors present and past; and

WHEREAS, the purpose of the Gold Star Families Memorial Monument is to honor Gold Star families, relatives, and Gold Star children who have sacrificed a loved one in the services of their country and stand as a stark reminder that freedom is not free; and

WHEREAS, Branson, Missouri is known throughout the country as the "Veterans Capital of the Nation", hosting America's largest Veterans Day celebration every year, and Branson is home to the Gold Star Families Memorial Monument; and

WHEREAS, the College of the Ozarks, located only a few miles from Branson, has pledged to fully fund the construction of the Gold Star Families Memorial Monument designed by the college's graphic design class; and

WHEREAS, it is appropriate to honor the fallen warriors from the state of Missouri by recognizing the Gold Star Families Memorial

Monument, which is to be constructed on the College of the Ozarks campus, as the official Gold Star Families Memorial Monument of the state of Missouri:

NOW THEREFORE BE IT RESOLVED that the members of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, the Senate concurring therein, hereby recognize the Gold Star Families Memorial Monument, which is to be constructed on the College of the Ozarks campus in Point Lookout, Missouri, as the official Gold Star Families Memorial Monument of Missouri; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the president of the College of the Ozarks and the Veterans and Military Coalition of the Ozarks in Branson, Missouri; and

BE IT FURTHER RESOLVED that the cost of all signs will be paid by the College of the Ozarks; and

BE IT FURTHER RESOLVED that the Missouri department of transportation be instructed to prepare and establish appropriate highway signage to recognize the location and direction to the Missouri Gold Star Families Memorial Monument.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 26**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 25**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 17**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Also,

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 6**, begs leave to report that it has considered the same and recommends that the concurrent resolution do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS for HB 260**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS for HB 1158**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Emery, Chairman of the Committee on Government Reform, submitted the following reports:

Mr. President: Your Committee on Government Reform, to which was referred **HCS for HB 159**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Government Reform, to which was referred **HB 598**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **HB 1045**, **HCS** for **HB 831**, with **SCS**; **HCS** for **HB 661**, with **SCS**; **HB 289**, with **SCS**; **HB 248**, with **SCS**; **HB 245**, with **SCS**; **HCS** for **HB 151**; **HCS** for **HB 57**, with **SCS**; **SS No. 2** for **SCS** for **SB 313**; and **SS** for **SCS** for **SB 49**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Romine, Chairman of the Committee on Education, submitted the following report:

Mr. President: Your Committee on Education, to which was referred **HB 469**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Walsh, Chairman of the Committee on Progress and Development, submitted the following report:

Mr. President: Your Committee on Progress and Development, to which was referred **HCS** for **HB 935**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Hegeman, Chairman of the Committee on Local Government and Elections, submitted the following reports:

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 193**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 281**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Local Government and Elections, to which was referred **HB 568**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Wieland, Chairman of the Committee on Insurance and Banking, submitted the following report:

Mr. President: Your Committee on Insurance and Banking, to which was referred **HCS** for **HB 741**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **HB 815**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Professional Registration, to which was referred **HB 557**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Schatz, Chairman of the Committee on Transportation, Infrastructure and Public Safety, submitted the following reports:

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 694**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 225**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HCS** for **HB 181**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Transportation, Infrastructure and Public Safety, to which was referred **HB 697**, begs leave to report that it has considered the same and recommends that the bill do pass.

President Parson assumed the Chair.

THIRD READING OF SENATE BILLS

SS No. 2 for **SCS** for **SB 313**, introduced by Senator Koenig, entitled:

SENATE SUBSTITUTE NO. 2 FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 313

An Act to repeal sections 160.410, 160.415, 161.106, 162.081, 162.431, 162.1115, 163.018, 163.021, 163.036, 167.121, 167.131, 171.031, 178.550, and 210.861, RSMo, and to enact in lieu thereof forty-nine new sections relating to elementary and secondary education, with a penalty provision and an emergency clause for certain sections.

Was taken up.

President Pro Tem Richard assumed the Chair.

On motion of Senator Koenig, **SS No. 2** for **SCS** for **SB 313** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Eigel	Emery	Hoskins
Kehoe	Koenig	Kraus	Munzlinger	Nasheed	Onder	Richard

Riddle	Rowden	Schaaf	Silvey	Wallingford	Wieland—20
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NAYS—Senators

Curls	Hegeman	Holsman	Libla	Rizzo	Romine	Sater
Schatz	Schupp	Sifton	Walsh	Wasson—12		

Absent—Senator Hummel—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was defeated by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Dixon	Eigel	Emery	Hegeman
Kehoe	Koenig	Kraus	Munzlinger	Nasheed	Onder	Richard
Riddle	Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford

Wieland—22

NAYS—Senators

Curls	Holsman	Libla	Rizzo	Romine	Schupp	Sifton
Walsh	Wasson—9					

Absent—Senators

Hoskins Hummel—2

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Koenig, title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Parson assumed the Chair.

SS for SCS for SB 49, introduced by Senator Walsh, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 49

An Act to repeal sections 67.505, 67.547, and 94.510 RSMo, and to enact in lieu thereof three new sections relating to local sales taxes.

Was taken up.

On motion of Senator Walsh, **SS for SCS for SB 49** was read the 3rd time and passed by the following

vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Holsman	Kehoe
Koenig	Kraus	Libla	Munzlinger	Nasheed	Richard	Riddle
Rizzo	Romine	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

NAYS—Senators

Brown	Eigel	Hegeman	Onder—4
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Absent—Senators

Hoskins	Hummel	Rowden—3
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Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SS for SB 490, introduced by Senator Schupp, entitled:

An Act to repeal sections 337.020, 337.315, 337.320, 337.507, 337.510, 337.612, 337.618, 337.662, 337.712, and 337.718, RSMo, and to enact in lieu thereof eleven new sections relating to suicide prevention training for health care professionals.

Was taken up.

On motion of Senator Schupp, **SS for SB 490** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators

Koenig	Kraus—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schupp, title to the bill was agreed to.

Senator Schupp moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

CONCURRENT RESOLUTIONS

HCS for HCR 19, entitled:

Relating to the financing of educational facilities.

Was taken up by Senator Kehoe.

On motion of Senator Kehoe, **HCS for HCR 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Kraus	Libla	Munzlinger	Nasheed
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Eigel	Emery	Koenig	Schaaf—4
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Absent—Senator Onder—1

Absent with leave—Senators—None

Vacancies—1

The President declared the concurrent resolution passed.

On motion of Senator Kehoe, title to the concurrent resolution was agreed to.

Senator Kehoe moved that the vote by which the concurrent resolution passed be reconsidered.

Senator Richard moved that motion lay on the table, which motion prevailed.

Senator Kehoe announced photographers from KMIZ-TV were given permission to take pictures in the Senate Chamber.

HOUSE BILLS ON THIRD READING

HCS for HB 17, with **SCS**, entitled:

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for HCS for HB 17, entitled:

SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 17

An Act to appropriate money for capital improvement and other purposes for the several departments

of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July, 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS** for **HCS** for **HB 17** be adopted.

President Pro Tem Richard assumed the Chair.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 17, Page 9, Section 17.150, by striking all of said section from the bill; and

Further amend bill totals accordingly.

President Parson assumed the Chair.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Kraus moved that the above amendment be adopted, which motion failed.

Senator Silvey offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 17, Page 18, Section 17.315, by striking all of said section from the bill; and

Further amend said bill and page, section 17.320 by striking all of said section from the bill; and

Further amend the bill totals accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Brown moved that **SCS** for **HCS** for **HB 17**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 17**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 18, with SCS, entitled:

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for refunds, distributions, planning, expenses, and land improvements; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for HCS for HB 18, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 18

An Act to appropriate money for purposes for the several departments and offices of state government; for the purchase of equipment; for planning, expenses, and for capital improvement projects involving the maintenance, repair, replacement, and improvement of state buildings and facilities, including installation, modification, and renovation of facility components, equipment or systems; for refunds, distributions, planning, expenses, and land improvements; and to transfer money among certain funds, from the funds designated for the fiscal period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 18** be adopted.

Senator Silvey offered **SA 1:**

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 4, Section 18.065, Line 8, by inserting after all of said line the following:

“Section 18.070. To the Office of Administration

For repair and renovations to the exterior of the State Capitol Building

From Board of Public Buildings Bond Proceeds Fund

(various).....\$25,366,069”; and

Further amend the bill totals accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 4,

Section 18.065, Line 8, by inserting after all of said line the following:

“Section 18.075. To the Office of Administration

For repair and renovations for the 830 MoDOT Drive Project

From Board of Public Buildings Bond Proceeds Fund (various).....\$6,400,000

Section 18.080. To the Office of Administration

For repair and renovations for the Capitol Annex/MoDOT Headquarters Project, provided that employees of the Senate and the House of Representatives in the research offices, appropriation offices, and information technology offices shall not be combined and/or permanently relocated out of the State Capitol Building without the approval of the General Assembly

From Board of Public Buildings Bond Proceeds Fund (various).....\$2,900,000”;
and

Further amend the bill totals accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Chappelle-Nadal offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 18, Page 4, Section 18.085, Line 6, by inserting immediately after said line the following:

“Section 18.090. To the Department of Natural Resources

For the Missouri Contaminated Home Acquisition Program pursuant to Section 260.850 to 260.865 RSMo.

From General Revenue Fund (0101).....\$3,000,000”; and

Further amend bill totals accordingly.

Senator Chappelle-Nadal moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Brown moved that **SCS** for **HCS** for **HB 18**, as amended, be adopted, which motion prevailed.

On motion of Senator Brown, **SCS** for **HCS** for **HB 18**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Chappelle-Nadal Kraus—2

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 19, with SCS, entitled:

An Act to appropriate money for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds herein designated for the fiscal period beginning July 1, 2017 and ending June 30, 2018.

Was taken up by Senator Brown.

SCS for HCS for HB 19, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 19

An Act to appropriate money for planning and capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions; and to transfer money among certain funds, from the funds herein designated for the fiscal period beginning July 1, 2017 and ending June 30, 2018.

Was taken up.

Senator Brown moved that **SCS for HCS for HB 19** be adopted, which motion prevailed.

On motion of Senator Brown, **SCS for HCS for HB 19** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Kraus—1

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 182**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 11**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 12**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCB 7**, entitled:

An Act to amend chapter 105, RSMo, by adding thereto one new section relating to legal expenses of state agencies.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCB 1**, entitled:

An Act to repeal sections 210.845, 302.441, 400.1-101, 400.1-102, 400.1-103, 400.1-105, 400.1-106, 400.1-107, 400.1-108, 400.1-201, 400.1-202, 400.1-203, 400.1-204, 400.1-205, 400.1-206, 400.1-207, 400.1-208, 400.7-102, 400.7-103, 400.7-104, 400.7-105, 400.7-201, 400.7-202, 400.7-203, 400.7-204, 400.7-205, 400.7-206, 400.7-207, 400.7-208, 400.7-209, 400.7-210, 400.7-301, 400.7-302, 400.7-303, 400.7-304, 400.7-305, 400.7-307, 400.7-308, 400.7-309, 400.7-401, 400.7-402, 400.7-403, 400.7-404, 400.7-501, 400.7-502, 400.7-503, 400.7-504, 400.7-505, 400.7-506, 400.7-507, 400.7-508, 400.7-509, 400.7-601, 400.7-602, 400.7-603, 400.7-604, 400.9-501, 452.370, 452.747, 454.500, 456.4-414, 456.4-420, 478.463, 479.020, 488.2206, 488.2250, 513.430, 513.440, 514.040, 544.671, 552.020, 565.050, 565.052, 565.054, 565.056, 575.150, 577.060, and 650.058, RSMo, and to enact in lieu thereof ninety-six new sections relating to judicial proceedings, with penalty provisions.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

PRIVILEGED MOTIONS

Senator Brown requested unanimous consent of the Senate to be allowed to make one motion to send **SCS for HCS for HB 2**, as amended; **SCS for HCS for HB 3**; **SCS for HCS for HB 4**; **SCS for HCS for HB 5**; **SCS for HCS for HB 6**, as amended; **SCS for HCS for HB 7**; **SCS for HCS for HB 8**; **SCS for HCS for HB 9**; **SCS for HCS for HB 10**; **SCS for HCS for HB 11**; and **SCS for HCS for HB 12**, as amended to conference in one motion, which request was granted.

Senator Brown moved that the Senate refuse to recede from its position on **SCS for HCS for HB 2**, as amended; **SCS for HCS for HB 3**; **SCS for HCS for HB 4**; **SCS for HCS for HB 5**; **SCS for HCS for HB 6**, as amended; **SCS for HCS for HB 7**; **SCS for HCS for HB 8**; **SCS for HCS for HB 9**; **SCS for HCS for HB 10**; **SCS for HCS for HB 11**; and **SCS for HCS for HB 12**, as amended and grant the House a conference thereon, which motion prevailed.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 854, regarding M. Dee Hackett Ogilvy, Springfield, which was adopted.

Senator Richard offered Senate Resolution No. 855, regarding Bill Rogers, Lockwood, which was adopted.

Senator Onder offered Senate Resolution No. 856, regarding Cody Christopher Ford, Florissant, which was adopted.

Senator Curls offered Senate Resolution No. 857, regarding Eagle Scout Marco Antonio Cano, which was adopted.

Senator Curls offered Senate Resolution No. 858, regarding Eagle Scout Noah Sebastian Sisson, which was adopted.

INTRODUCTION OF GUESTS

Senator Cunningham introduced to the Senate, Tom Hyatt, Ashland; and Misty Long, Texas County.

Senator Munzlinger introduced to the Senate, representatives of Farm Bureau Youth Leadership Day, 18th Senatorial District.

Senator Riddle introduced to the Senate, the Physician of the Day, Dr. Joseph A. Corrado, and his wife, Donna, Mexico.

Senator Kehoe introduced to the Senate, Sara Schwartze, Janice Miller, Hannah Heintz, Sandy Knipp, Adam Bieri, Dorothy Koepke, Doug Ridder and Dwayne Schad, and representatives of Missouri Farm Bureau Youth Leadership Day, 6th Senatorial District.

Senator Schaaf introduced to the Senate, Linda Judah.

Senator Hegeman introduced to the Senate, Advisor Ross Hastert; and Ben Lucas and Ally Demott, representatives of Farm Bureau Youth Leadership Day, Rockport.

Senator Hegeman introduced to the Senate, Advisor Jeremy Lacy; and Grant Cassavaugh, Makayla Jones, Gary Demott, Jacob Search and Shelby Wolters, Northwest Technical School, Maryville.

Senator Riddle introduced to the Senate, Teacher Dan Burkemper; and Drew Hall, Dustin Toedebusch

and Logan Frye, representatives of Missouri Farm Bureau Youth Leadership Day, Warrenton.

Senator Kehoe introduced to the Senate, Mrs. Reynders, her son, Travis, and fourth grade students from Immaculata Catholic School, Richmond Heights.

Senator Rowden introduced to the Senate, representatives of Missouri Farm Bureau Youth Leadership Day, Boonville.

Senator Holsman introduced to the Senate, Kyle McCafferty, Kaylyn McAllister and Rachel Hoins, University of Missouri Kansas City.

Senator Schaaf introduced to the Senate, Patsy Dale, April Bruce, Kim Lux, Janice Hendrix, Cindy Schoenlaub and Teresa Gall, St. Joseph.

Senator Hegeman introduced to the Senate, representatives of Missouri Farm Bureau Youth Leadership Day, from Sullivan, Atchison and Grundy Counties.

Senator Libla introduced to the Senate, Ellen Amos, Madison Adams, Hayley Fuller and Lauren Riggs, representatives of Missouri Farm Bureau Youth Leadership Day, New Madrid.

Senator Cunningham introduced to the Senate, Advisor Jarvis Reed; and Baley Nelson and K-Lynn Baker, representatives of Missouri Farm Bureau Youth Leadership Day, Couch.

Senator Cunningham introduced to the Senate, Advisor John Doss; and Brennah Barrett and Jennifer Simpson, representatives of Missouri Farm Bureau Youth Leadership Day, Koshkonong.

On behalf of Senator Richard, the President introduced to the Senate, Ashton Baker, Cassidy Cupp, Halle Roper, Kaylie Hulette and Haley Shember, representatives of Missouri Farm Bureau Youth Leadership Day, Carl Junction.

On behalf of Senator Richard, the President introduced to the Senate, Robert Ingram, Duneweg; and Brooke Parker, Harris Allen, Katie Katzfey, Morgan Wilson and Brayden Cullen, representatives of Missouri Farm Bureau Youth Leadership Day, Joplin.

Senator Riddle introduced to the Senate, Advisor Kendra Allen, and Abbygayle Jones, Raegan Samm, Nicholas Huemann, Ryan Gish, Grace Kerr and Nikki Welch, representatives of Missouri Farm Bureau Youth Leadership Day, Mexico.

Senator Emery introduced to the Senate, Teacher Tina Sudkamp; and Braden Russell, Ben Sudkamp, Maggie Lersure, Stacy Bennington, Alexis Leighty, Maeison Chipley, Morgan Smith and Paul Kennedy-Stokes, Nevada High School.

Senator Hoskins introduced to the Senate, Advisor Sherry Jones; and Adler Marshall, Wade Campbell, Hunter Horton, Cole Wolf and Austin Case, representatives of Missouri Farm Bureau Youth Leadership Day, Chillicothe.

Senator Cunningham introduced to the Senate, Grant Hall, West Plains; and Landon Rodgers and Waylon Wolsey, Willow Springs.

Senator Cunningham introduced to the Senate, Advisor Jon Wilson; and Blakely Morrison, Madison Trivitt, Peyton Donley and Natalie Kiger, representatives of Missouri Farm Bureau Youth Leadership Day, Gainesville.

Senator Cunningham introduced to the Senate, Advisor Byron Rikard; and Annabelle Medlin, Kelsie Orr, Keegan Newberry and Montana Riechert, representatives of Missouri Farm Bureau Youth Leadership Day, Alton.

Senator Riddle introduced to the Senate, Advisor Mary LeKamp; and Aubreigh Allen, Greg Bader, Allison William and Aime Brendall, representatives of Missouri Farm Bureau Youth Leadership Day, Montgomery and Audrain Counties.

Senator Riddle introduced to the Senate, Nan Hart, Danielle Bezler, Marissa Wessel, Danielle Clark, Jaiden Saunders, Lillie McKeller and Carson Humphreys, representatives of Missouri Farm Bureau Youth Leadership Day, Fulton.

Senator Emery introduced to the Senate, Hannah Roberts, Caroline Faber, Kaylee Jones, Olivia Shipman and Taylor Birsch, representatives of Missouri Farm Bureau Youth Leadership Day, Windsor.

Senator Emery introduced to the Senate, Mary Fischer, Haley Collins, Trenton Bagby and Michael Scrivner, representatives of Missouri Farm Bureau Youth Leadership Day, Bates County.

Senator Curls introduced to the Senate, Richard Tush, Fred Hartwell and Pat Ertz, Raytown.

Senator Cunningham introduced to the Senate, representatives of Missouri Farm Bureau Youth Leadership Day, Hartville, Mountain Grove and Norwood.

Senator Wallingford introduced to the Senate, Emma Kessel, Kaylee Richardet and Isabel Legg, Perryville; and Ashley Fritsche, Saxony.

Senator Hegeman introduced to the Senate, Maria Bererra, Emily Creasey, Jese Jennings, Emily Starmer, Cameron Hamaker and Robert Hutton, representatives of Missouri Farm Bureau Youth Leadership Day, Harrison County.

Senator Hoskins introduced to the Senate, Crayton Crawford, Nicol Lindaman, Brandon Kanoya, Amanda Hilburn and Sierra Dye, representatives of Missouri Farm Bureau Youth Leadership Day, Caldwell County.

Senator Cunningham introduced to the Senate, Advisor David Emerson; and Kayla Cornett, Hailey Herrell and Samantha Lawson, representatives of Missouri Farm Bureau Youth Leadership Day, Douglas County.

Senator Sater introduced to the Senate, Cole Jackson and Andrew Littlefield, Cassville; Todd Schubert, Monett; and Emma Mareth, Purdy, representatives of Missouri Farm Bureau Youth Leadership Day.

Senator Hegeman introduced to the Senate, Keith Sutton, Macey Ward, Mattison Ishmael, Kaitlyn Bird and Brianne Allen, representatives of Missouri Farm Bureau Youth Leadership Day, Daviess County.

Senator Hegeman introduced to the Senate, Jonna Ayers, Taylor Mussleman, Samantha Thomas, Abi Morris, Breanna Wooden and Tyler Tipton, representatives of Missouri Farm Bureau Youth Leadership Day, Sullivan County.

Senator Cunningham introduced to the Senate, representatives of Victory Academy, Seymour.

Senator Schatz introduced to the Senate, Jim Spriggs, Ballwin.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m, Monday, May 1, 2017.

SENATE CALENDAR

SIXTY-SECOND DAY—MONDAY, MAY 1, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler	HCS for HBs 960, 962 & 828
HCS for HB 619	HCS for HB 670
HCS for HB 162	HB 743-Conway
HB 97-Swan	HB 824-Reiboldt
HCS for HB 293	HCS for HB 384
HCS for HB 219	HCS for HB 886
HCS for HB 324	HCB 7-Fitzwater
HCS for HB 746	HCB 1-McGaugh
HCS for HB 194	

SENATE BILLS FOR PERFECTION

1. SB 495-Riddle, with SCS	12. SB 380-Riddle
2. SB 532-Hoskins	13. SB 297-Hummel, with SCS
3. SB 518-Emery	14. SB 474-Schatz
4. SB 341-Nasheed, with SCS	15. SB 483-Holsman
5. SJR 5-Emery, with SCS	16. SB 498-Nasheed
6. SB 305-Kehoe, et al	17. SB 251-Kehoe, with SCS
7. SB 535-Wallingford	18. SB 528-Hegeman
8. SB 523-Sater, with SCS	19. SB 307-Munzlinger
9. SB 480-Kraus	20. SB 472-Hoskins
10. SB 407-Riddle, with SCS	21. SB 524-Koenig, with SCS
11. SB 353-Wallingford, with SCS	

HOUSE BILLS ON THIRD READING

1. HB 288-Fitzpatrick (Kehoe)	4. HCS for HB 452 (Rowden)
2. HCS for HB 151 (Silvey)	5. HCS for HB 831, with SCS (Hummel)
3. HB 850-Davis (Kraus)	6. HCS for HB 381, with SCS (Hegeman)

7. HB 58-Haefner (Onder)
8. HB 175-Reiboldt, with SCS (Munzlinger)
9. HB 327-Morris (Curls)
(In Fiscal Oversight)
10. HB 680-Fitzwater, with SCS (Wasson)
11. HCS for HB 57-Haefner, with SCS
(Libla)
12. HCS for HB 422 (Dixon)
13. HB 245-Rowland, with SCS (Cunningham)
14. HB 262-Sommer (Hoskins)
15. HCS for HB 270 (Rowden)
16. HCS for HB 661, with SCS (Emery)
17. HB 758-Cookson, with SCS (Romine)
18. HCS for HB 138, with SCS (Onder)
19. HCS for HB 441 (Rowden)
20. HCS for HB 253, with SCS (Romine)
21. HB 94-Lauer (Romine)
22. HB 248-Fitzwater, with SCS
(Cunningham)
23. HB 289-Fitzpatrick, with SCS (Rowden)
24. HB 493-Bondon, with SCS (Silvey)
25. HB 52-Andrews (Hegeman)
26. HCS for HB 647, with SCS (Sater)
27. HCS for HB 353, with SCS (Sater)
28. HCS for HB 54, with SCS (Emery)
29. HB 355-Bahr (Eigel)
30. HCS for HB 122, with SCS (Onder)
31. HCS for HB 230, with SCS (Koenig)
32. HB 700-Cookson, with SCS (Libla)
33. HB 1045-Haahr (Wasson)
34. HB 909-Fraker (Wasson)
35. HCS for HB 631, with SCS (Emery)
36. HCS for HB 348 (Romine)
37. HJR 10-Brown (Romine)
38. HCS#2 for HB 502 (Rowden)
39. HCS for HB 304, with SCS (Koenig)
40. HB 871-Davis, with SCS (Kraus)
41. HB 843-McGaugh, with SCS (Hegeman)
42. HB 200-Fraker, with SCS (Sater)
43. HCS for HB 703 (Hegeman)
44. HB 956-Kidd, with SCS (Rizzo)
45. HCS for HB 199, with SCS (Cunningham)
46. HB 87-Henderson, with SCS (Romine)
47. HB 587-Redmon, with SCS (Hegeman)
48. HCS for HB 258, with SCS (Munzlinger)
49. HB 349-Brown, with SCS (Sater)
50. HCS for HB 316, with SCS
(Wallingford)
51. HB 558-Ross, with SCS (Schatz)
52. HB 586-Rhoads (Rowden)
53. HB 256-Rhoads, with SCS (Munzlinger)
54. HCS for HB 645 (Sater)
55. HCS for HB 183 (Nasheed)
56. HCS for HB 542 (Schatz)
57. HB 61-Alferman (Schatz)
58. HB 128, HB 678, HB 701 &
HB 964-Davis, with SCS (Richard)
59. HB 811-Ruth (Wieland)
60. HB 805-Basye (Rowden)
61. HB 664-Korman (Riddle)
62. HB 105-Love (Kraus)
63. HB 849-Pfautsch (Kraus)
64. HCS for HB 260, with SCS (Sater)
65. HCS for HB 1158, with SCS (Riddle)
66. HCS for HB 159 (Brown)
67. HB 598-Cornejo (Hegeman)
68. HB 469-Gannon, with SCS
69. HCS for HB 935, with SCS
70. HB 193-Kelley
71. HB 281-Rowland (Sater)
72. HB 568-Tate, with SCS (Schatz)
73. HCS for HB 741, with SCS
74. HB 815-Basye, with SCS (Riddle)
75. HB 557-Ross
76. HCS for HB 694 (Cunningham)
77. HCS for HB 225 (Munzlinger)
78. HCS for HB 181 (Sater)
79. HB 697-Trent (Rowden)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SB 141-Emery
SB 6-Richard, with SCS	SB 142-Emery
SB 13-Dixon	SB 144-Wallingford
SB 20-Brown	SB 145-Wallingford, with SCS
SB 21-Brown	SB 147-Romine
SB 28-Sater, with SCS (pending)	SB 156-Munzlinger, with SCS
SB 32-Emery, with SCS	SB 157-Dixon, with SCS
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 158-Dixon
SB 41-Wallingford and Emery, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 163-Romine
SBs 44 & 63-Romine, with SCS	SB 169-Dixon, with SCS
SB 46-Libla, with SCS	SB 171-Dixon and Sifton, with SCS
SB 61-Hegeman, with SCS	SB 176-Dixon
SB 67-Onder, et al, with SS, SA 1 & SSA 1 for SA 1 (pending)	SB 177-Dixon, with SCS
SB 68-Onder and Nasheed	SB 178-Dixon
SB 76-Munzlinger	SB 180-Nasheed, with SCS
SB 80-Wasson, with SCS	SB 183-Hoskins, with SCS
SB 81-Dixon	SB 184-Emery, with SS (pending)
SB 83-Dixon	SB 185-Onder, et al, with SCS
SB 85-Kraus, with SCS	SB 188-Munzlinger, with SCS
SB 96-Sater and Emery	SB 189-Kehoe, with SCS
SB 97-Sater, with SCS	SB 190-Emery, with SCS & SS#2 for SCS (pending)
SB 102-Cunningham, with SCS	SB 196-Koenig
SB 103-Wallingford	SB 199-Wasson
SB 109-Holsman, with SCS	SB 200-Libla
SB 115-Schupp, with SCS	SB 201-Onder, with SCS
SB 117-Schupp, with SCS	SB 203-Sifton, with SCS
SB 122-Munzlinger, with SCS	SB 207-Sifton
SB 123-Munzlinger	SB 209-Wallingford
SB 126-Wasson	SB 210-Onder, with SCS
SB 129-Dixon and Sifton, with SCS	SB 220-Riddle, with SCS & SS for SCS (pending)
SB 130-Kraus, with SCS	SB 221-Riddle
SB 133-Chappelle-Nadal	SB 223-Schatz, with SCS
SB 138-Sater	SB 227-Koenig, with SCS
	SB 228-Koenig, with SS & SA 1 (pending)

SB 230-Riddle	SB 358-Wieland
SB 232-Schatz	SB 362-Hummel
SB 233-Wallingford	SB 368-Rowden
SB 234-Libla, with SCS	SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)
SB 239-Rowden, with SCS	SB 378-Wallingford
SB 242-Emery, with SCS	SB 379-Schatz
SB 243-Hegeman	SB 381-Riddle
SB 247-Kraus, with SCS	SB 383-Eigel and Wieland
SB 250-Kehoe	SB 384-Rowden, with SCS
SB 252-Dixon, with SCS	SB 389-Sater, with SCS
SB 258-Munzlinger	SB 391-Munzlinger
SB 259-Munzlinger	SB 392-Holsman
SB 260-Munzlinger	SB 406-Wasson and Sater
SB 261-Munzlinger	SB 409-Koenig
SB 262-Munzlinger	SB 410-Schatz
SB 263-Riddle	SB 413-Munzlinger
SB 264-Dixon	SB 418-Hegeman, with SCS
SB 267-Schatz, with SCS	SB 419-Riddle
SB 271-Wasson and Richard, with SCS	SB 422-Cunningham, with SCS
SB 280-Hoskins, with SCS	SB 426-Wasson, with SCS
SB 284-Hegeman, with SCS	SB 427-Wasson
SBs 285 & 17-Koenig, with SCS	SB 430-Cunningham, with SCS
SB 286-Rizzo	SB 433-Sater, with SCS
SB 290-Schatz, with SCS	SB 435-Cunningham, with SCS
SB 295-Schaaf, with SCS	SB 442-Hegeman
SB 298-Curls	SB 445-Rowden
SB 303-Wieland, with SCS	SB 448-Emery
SB 311-Wasson, with SCS	SB 451-Nasheed, with SS (pending)
SBs 314 & 340-Schatz, et al, with SCS	SB 468-Hegeman
SB 316-Rowden, with SCS	SB 469-Schatz
SB 325-Kraus	SB 475-Schatz
SBs 327, 238 & 360-Romine, with SCS	SB 485-Hoskins
SB 328-Romine, with SCS & SA 3 (pending)	SB 517-Wasson
SB 330-Munzlinger	SB 526-Brown
SB 331-Hegeman	SJR 9-Romine, with SCS
SB 333-Schaaf, with SCS	SJR 11-Hegeman, with SCS
SB 336-Wieland	SJR 12-Eigel
SB 348-Wasson, with SA 1 (pending)	SJR 17-Kraus
SB 349-Wasson	

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HCS for HBs 302 & 228, with SCS, SS for
HCS for HB 66, with SCS (Sater)	SCS & SA 5 (pending) (Schatz)
HB 85-Redmon, with SCS (Hegeman)	HB 336-Shull (Wieland)
HCS for HBs 91, 42, 131, 265 & 314	HCS for HBs 337, 259 & 575 (Schatz)
(Brown)	HCS for HB 427, with SCS (Kehoe)
HB 93-Lauer, with SCS (Wasson)	HCS for HB 451 (Wasson)
HB 95-McGaugh (Emery)	HCS for HB 460 (Munzlinger)
HB 104-Love (Brown)	HB 461-Kolkmeier (Munzlinger)
HCS for HB 115, with SCS (Wasson)	HB 462-Kolkmeier (Munzlinger)
HCS for HBs 190 & 208 (Eigel)	HB 655-Engler (Dixon)
HB 207-Fitzwater (Romine)	HCS for HBs 1194 & 1193 (Hegeman)
HB 251-Taylor, with SCS, SS for SCS,	HCB 3-Fitzpatrick, with SA 2 (pending)
SA 2 & SA 3 to SA 2 (pending) (Onder)	(Koenig)
HCS for HB 292, with SCS (Cunningham)	

SENATE BILLS WITH HOUSE AMENDMENTS

SB 8-Munzlinger, with HA 1, HA 2,	SB 64-Schatz, with HA 1, HA 2 & HA 3
HA 3, a.a., HA 4, HA 5, HA 6,	SS for SCS for SB 66-Schatz, with HCS,
HA 7, HA 8, a.a. & HA 9, a.a.	as amended
SS for SB 62-Hegeman, with HCS, as amended	SB 111-Hegeman, with HCS, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2, with SCS, as amended	HCS for HB 7, with SCS (Brown)
(Brown)	HCS for HB 8, with SCS (Brown)
HCS for HB 3, with SCS (Brown)	HCS for HB 9, with SCS (Brown)
HCS for HB 4, with SCS (Brown)	HCS for HB 10, with SCS (Brown)
HCS for HB 5, with SCS (Brown)	HCS for HB 11, with SCS (Brown)
HCS for HB 6, with SCS, as amended	HCS for HB 12, with SCS, as amended
(Brown)	(Brown)

Requests to Recede or Grant Conference

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate
recede or grant conference)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 6-Walsh
SCR 17-Curls
SCR 18-Wallingford
SCR 25-Cunningham
SCR 26-Kehoe

HCR 6-Justus
HCR 28-Rowland (Rowden)
HCR 35-Hurst (Wallingford)
HCS for HCR 47 (Schatz)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SECOND DAY—MONDAY, MAY 1, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“For darkness shall cover the earth, and thick darkness the peoples; but the Lord will arise upon you, and his glory will appear over you.”
(Isaiah 60:2)

Gracious God: We awakened again to a dark and dreary day and we know our need of Your light and its drawing power so we may see the beauty of the day You bring to us even while darkness covers our land. Let Your light lead us along a right pathway so we may serve You as we do our best for all the people of this state especially those who have suffered major devastation, injury and families who know death’s presence due to the storms this past weekend. We pray also that You will comfort and sustain all those who need Your presence in their lives and provide calm and healing to them. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Thursday, April 27, 2017 was read in part.

Senator Onder moved that further reading of the Journal be dispensed with and the same be approved as having been fully read.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Journal of the Senate, Page 1117, Line 8 of said journal page, by striking “Missouri Kansas” and inserting in lieu thereof the following: “Missouri-Kansas”.

Senator Schaaf moved that the above amendment be adopted.

Senator Libla offered **SSA 1** for **SA 1**, which was read:

SENATE SUBSTITUTE AMENDMENT NO. 1 FOR SENATE AMENDMENT NO. 1

Amend Journal of the Senate, Page 1117, Line 7 of said journal page, by inserting immediately after “McAllister” a semicolon “;”; and further amend line 8 of said journal page, by striking “Missouri Kansas” and inserting in lieu thereof the following: “Missouri-Kansas”.

Senator Libla moved that the above substitute amendment be adopted.

Senator Romine offered **SA 1** to **SSA 1** for **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE SUBSTITUTE AMENDMENT NO. 1 FOR
SENATE AMENDMENT NO. 1

Amend Senate Substitute Amendment No. 1 for Senate Amendment No. 1 to the Journal of the Senate, Page 1117, Line 3 of said amendment, by striking “semicolon” “;” and inserting in lieu thereof the following: “comma” “,”.

Senator Romine moved that the above amendment be adopted.

Pursuant to Senate Rule 73, Senator Holsman moved that debate on the above amendment be postponed to Monday, May 7, 2017 at 4:00 p.m.

Pursuant to Senate Rule 87, Senator Onder requested the above motion be submitted in writing, which request was granted.

Senator Onder moved that the Senate stand in recess until 4:30 p.m.

Senator Schaaf raised the point of order that pursuant to Senate Rule 72, a motion to recess is not in order.

The point of order was referred to the President Pro Tem.

At the request of Senator Onder, the motion to recess was withdrawn, rendering the point of order moot.

Senator Munzlinger assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Holsman, the motion to postpone debate to Monday, May 7, 2017 at 4:00 p.m. was withdrawn.

At the request of Senator Schaaf, **SA 1** was withdrawn, rendering **SA 1** to **SSA 1** for **SA 1** and **SSA 1** for **SA 1** moot.

Senator Onder moved that the Journal be approved as though having been fully read, which motion prevailed.

The Senate observed a moment of silence for those affected by the flood.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hummel offered Senate Resolution No. 859, regarding Arthur “Art” Russell, which was adopted.

Senator Hummel offered Senate Resolution No. 860, regarding Taylor Michelle King, Saint Louis, which was adopted.

Senator Onder offered Senate Resolution No. 861, regarding Linde Parcels, Lake Zurich, Illinois, which was adopted.

Senator Wasson offered Senate Resolution No. 862, regarding Nixa Sucker Day 2017, Grand Marshals, Glenn and Kay Scott, which was adopted.

Senator Eigel offered Senate Resolution No. 863, regarding George Edward Hysore, Jr., Saint Peters, which was adopted.

Senator Emery offered Senate Resolution No. 864, regarding Joseph C. “Joe” Henke, Saint Charles, which was adopted.

Senator Wieland offered Senate Resolution No. 865, regarding Meramec Arnold Elks Lodge #2372, which was adopted.

Senator Wieland offered Senate Resolution No. 866, regarding Nicholas Kline, Barnhart, which was adopted.

Senator Richard offered Senate Resolution No. 867, regarding Dalton Edward Manke, Lockwood, which was adopted.

Senator Riddle offered Senate Resolution No. 868, regarding the Fiftieth Anniversary of Bob and Gloria Rodale, Warrenton, which was adopted.

Senator Riddle offered Senate Resolution No. 869, regarding the Seventieth Birthday of Robert Dennis “Bob” Rodale, Warrenton, which was adopted.

Senator Libla offered Senate Resolution No. 870, regarding Jeff Walk, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 871, regarding Joyce Rehkop, Silva, which was adopted.

Senator Libla offered offered Senate Resolution No. 872, regarding Donna Carpenter, Poplar Bluff, which was adopted.

Senator Libla offered Senate Resolution No. 873, regarding Dr. Mary Lou Brown, Poplar Bluff, which was adopted.

Senator Hegeman offered Senate Resolution No. 874, regarding the Sixtieth Anniversary of Harlen and Carolyn Stegman, King City, which was adopted.

Senator Romine offered Senate Resolution No. 875, regarding Nancy K. Bland, Ellington, which was adopted.

Senator Curls offered Senate Resolution No. 876, regarding the National 9th and 10th (Horse) Cavalry Association, which was adopted.

Senator Wasson offered Senate Resolution No. 877, regarding Pam Lear, Strafford, which was adopted.

Senator Wasson offered Senate Resolution No. 878, regarding Debra Foster, Strafford, which was adopted.

Senator Munzlinger offered Senate Resolution No. 879, regarding Mike Dunbar, Moberly, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 880, regarding Joseph R. “Joe” Kortum, Hazelwood, which was adopted.

Senators Schupp and Schatz offered Senate Resolution No. 881, regarding Missouri Falun Dafa Association, which was adopted.

Senator Romine offered Senate Resolution No. 882, regarding Kelly Peacock, Desloge, which was adopted.

Senator Romine offered Senate Resolution No. 883, regarding Teresa Edgar, Desloge, which was adopted.

Senator Romine offered Senate Resolution No. 884, regarding Peg Portell, Cadet, which was adopted.

Senator Romine offered Senate Resolution No. 885, regarding Dorothy Allen, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 886, regarding Althea Gettiner, Ste. Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 887, regarding Diana Gross, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 888, regarding Kelly L. Kelley, Bismark, which was adopted.

Senator Romine offered Senate Resolution No. 889, regarding Texas Balderas, Black, which was adopted.

Senator Romine offered Senate Resolution No. 890, regarding Glenda Johnson, Annapolis, which was adopted.

Senator Romine offered the following resolution:

SENATE RESOLUTION NO. 891

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Third District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, First Regular Session, that Senate Rules 44 and 50 be amended to read as follows:

“Rule 44. Beginning on July first of each year, members and members-elect may deposit bills and joint resolutions for the next regular session with the secretary of the senate at any time. The secretary shall hold the bills and joint resolutions so deposited in the order filed. After the close of business on December first, the secretary shall assign numbers to bills and joint resolutions deposited in that office by seniority of the member first signing the measure, with a limit of [three bills or joint resolutions] one bill or joint resolution per rotation of the seniority list from the total number of measures deposited. All measures deposited through December first shall stand as pre-filed without further action by the member or member-elect. At the close of business on each day thereafter until the opening day of the session, bills and joint resolutions

received during the day shall be assigned numbers in the order in which the bill or joint resolution is filed with the secretary.

Once filed, bills and joint resolutions shall not be changed except to correct patent typographical, clerical or drafting errors that do not involve changes of substance, nor shall substitutions be made therefor. Any bill may be withdrawn but the number shall not be reassigned once a number has been given.

Seniority for the purposes of this rule shall be determined as follows:

- (1) Continuous senate service;
- (2) In the case of equal continuous senate service, majority party members shall have seniority over minority party members;
- (3) In the case of equal continuous senate service by members of the same party, prior non-continuous senate service;
- (4) In the case of equal continuous and prior non-continuous senate service by members of the same party, prior house service;
- (5) In the case of equal continuous and equal prior non-continuous senate service and equal prior house service by members of the same party, seniority shall be determined by the caucus of that party.

Rule 50. Referrals of bills and appointments to committee shall be made by the president pro tem; and no bill shall be considered for final passage unless it has been reported on by a committee and printed for the use of the senators. Any of the first three senate bills or joint resolutions pre-filed under Senate Rule 44 by a senator that are reported to the senate from committee shall be placed on the calendar under the order of business of "senate bills for perfection" in numerical order above all other bills on that order of business regardless of the day in which the bill was reported to the senate. A report of all bills recommended "do pass" by a committee shall be submitted to the senate by the chairman and all committee amendments accompanying the report shall be printed in the Journal.

After a bill has been referred to a committee, one-third of the senators elected has the power to relieve a committee of further consideration of a bill and place it on the calendar for consideration. In any case where a committee has been relieved of further consideration of a bill as herein provided, a majority of the senators present but not less than one-third of the senators elected, may, at any time before final passage thereof, again refer the bill to the same or some other committee for consideration. No bill or resolution shall be reported adversely by any committee until the author of the bill or resolution has been given an opportunity to appear and be heard before the committee to which it is referred.

One-third of the senators elected may relieve a committee of an appointment and a motion to grant advice and consent of the Senate to that appointment is then in order upon a vote of the majority of the Senate."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 2**, as amended. Representatives: Fitzpatrick, Alferman, Rowland (155), Butler, Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 3**. Representatives: Fitzpatrick, Alferman, Rowland (155), Kendrick, McGee.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 4**. Representatives: Fitzpatrick, Alferman, Conway (104), Butler, Kendrick.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 5**. Representatives: Fitzpatrick, Alferman, Bahr, Butler, Razer.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 6**, as amended. Representatives: Fitzpatrick, Alferman, Redmon, Butler, Dunn.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 7**. Representatives: Fitzpatrick, Alferman, Redmon, Butler, Dunn.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 8**. Representatives: Fitzpatrick, Alferman, Conway (104), Butler, May.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 9**. Representatives: Fitzpatrick, Alferman, Conway (104), Butler, May.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 10**. Representatives: Fitzpatrick, Alferman, Wood, Lavender, Quade.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 11**. Representatives: Fitzpatrick, Alferman, Wood, Lavender, Quade.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 12**, as amended. Representatives: Fitzpatrick, Alferman, Bahr, Lavender, Merideth (80).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 17**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SCS** for **HCS** for **HB 19**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 608**, entitled:

An Act to repeal sections 92.325, 92.327, 94.802, and 315.005, RSMo, and to enact in lieu thereof eight new sections relating to residential dwellings offered for rent to transient guests.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 411**.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 1 to House Amendment No. 5, and House Amendment No. 5, as amended.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 411, Page 4, Section 70.370, Line 128, by inserting immediately after all of said section and line the following:

“190.103. 1. One physician with expertise in emergency medical services from each of the EMS regions shall be elected by that region’s EMS medical directors to serve as a regional EMS medical director. The regional EMS medical directors shall constitute the state EMS medical director’s advisory committee and shall advise the department and their region’s ambulance services on matters relating to medical control and medical direction in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The regional EMS medical director shall serve a term of four years. The southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an initial two-year term. The central, east central, and southeast regional EMS medical directors shall be elected to an initial four-year term. All subsequent terms following the initial terms shall be four years. **The state EMS medical director shall be elected by the members of the regional EMS medical director’s advisory committee, shall serve a term of four years, and shall seek to coordinate EMS services between the EMS regions, promote educational efforts for agency medical directors, represent Missouri EMS nationally in the role of the state EMS medical director, and seek to incorporate the EMS system into the health care system serving Missouri.**

2. A medical director is required for all ambulance services and emergency medical response agencies that provide: advanced life support services; basic life support services utilizing medications or providing assistance with patients’ medications; or basic life support services performing invasive procedures including invasive airway procedures. The medical director shall provide medical direction to these services and agencies in these instances.

3. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall have the responsibility and the authority to ensure that the personnel working under their supervision are able to provide care meeting established standards of care with consideration for state and national standards as well as local area needs and resources. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall

establish and develop triage, treatment and transport protocols, which may include authorization for standing orders.

4. All ambulance services and emergency medical response agencies that are required to have a medical director shall establish an agreement between the service or agency and their medical director. The agreement will include the roles, responsibilities and authority of the medical director beyond what is granted in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall also include grievance procedures regarding the emergency medical response agency or ambulance service, personnel and the medical director.

5. Regional EMS medical directors and the state EMS medical director elected as provided under subsection 1 of this section shall be considered public officials for purposes of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.

6. The state EMS medical director's advisory committee shall be considered a peer review committee under section 537.035.

7. Regional EMS medical directors may act to provide online telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including EMT-Bs, EMT-Is, EMT-Ps, and community paramedics, are providing care to special needs patients or at the request of a local EMS agency or medical director.

8. When developing treatment protocols for special needs patients, regional EMS medical directors may promulgate such protocols on a regional basis across multiple political subdivisions' jurisdictional boundaries and such protocols may be used by multiple agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments. Treatment protocols shall include steps to ensure the receiving hospital is informed of the pending arrival of the special needs patient, the condition of the patient, and the treatment instituted.

9. Multiple EMS agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments shall take necessary steps to follow the regional EMS protocols established as provided under subsection 8 of this section in cases of mass casualty or state-declared disaster incidents.

10. When regional EMS medical directors develop and implement treatment protocols for patients or provide online medical direction for such patients, such activity shall not be construed as having usurped local medical direction authority in any manner.

11. Notwithstanding any other provision of law, when regional EMS medical directors are providing either online telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics, or offline medical direction per standardized EMS treatment, triage, and transport protocols for patients, those medical directions or treatment protocols may include the administration of the patient's own prescription medications.

190.142. 1. The department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license. The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of

five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Education and training requirements based on respective [national curricula of the United States Department of Transportation] **National Emergency Medical Services Education Standards** and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) **EMT-P programs must be accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold Committee on Accreditation of Education Programs for the Emergency Medical Services Professions (CoAEMSP) letter of review;**

(4) Initial licensure testing requirements. Initial EMT-P licensure testing shall be through the national registry of EMTs or examinations developed and administered by the department of health and senior services;

[(4)] (5) Continuing education and relicensure requirements; and

[(5)] (6) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.

190.144. 1. No emergency medical technician licensed under section 190.142 or 190.143, if acting in good faith and without gross negligence, shall be liable for:

(1) Transporting a person for whom an application for detention for evaluation and treatment has been filed under section 631.115 or 632.305; [or]

(2) Physically or chemically restraining an at-risk behavioral health patient as that term is defined under section 190.240 if such restraint is to ensure the safety of the patient or technician; **or**

(3) The administration of a patient's personal medication when deemed necessary.

2. Nothing in this section shall be construed as creating an exception to sovereign immunity, official immunity, or the Missouri public duty doctrine defenses.

190.165. 1. The department may refuse to issue or deny renewal of any certificate, permit or license required pursuant to sections 190.100 to 190.245 for failure to comply with the provisions of sections 190.100 to 190.245 or any lawful regulations promulgated by the department to implement its provisions as described in subsection 2 of this section. The department shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

2. The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any certificate, permit or license required by sections 190.100 to 190.245 or any person who has failed to renew or has surrendered his or her certificate, permit or license for failure to comply with the provisions of sections 190.100 to 190.245 or any lawful regulations promulgated by the department to implement such sections. Those regulations shall be limited to the following:

(1) Use or unlawful possession of any controlled substance, as defined in chapter 195, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any activity licensed or regulated by sections 190.100 to 190.245;

(2) Being finally adjudicated and found guilty, or having entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any activity licensed or regulated pursuant to sections 190.100 to 190.245, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;

(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate, permit or license issued pursuant to sections 190.100 to 190.245 or in obtaining permission to take any examination given or required pursuant to sections 190.100 to 190.245;

(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;

(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any activity licensed or regulated by sections 190.100 to 190.245;

(6) Violation of, or assisting or enabling any person to violate, any provision of sections 190.100 to 190.245, or of any lawful rule or regulation adopted by the department pursuant to sections 190.100 to 190.245;

(7) Impersonation of any person holding a certificate, permit or license or allowing any person to use his or her certificate, permit, license or diploma from any school;

(8) Disciplinary action against the holder of a license or other right to practice any activity regulated by sections 190.100 to 190.245 granted by another state, territory, federal agency or country upon grounds

for which revocation or suspension is authorized in this state;

(9) For an individual being finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice any activity licensed or regulated by sections 190.100 to 190.245 who is not licensed and currently eligible to practice pursuant to sections 190.100 to 190.245;

(11) Issuance of a certificate, permit or license based upon a material mistake of fact;

(12) Violation of any professional trust, confidence, or legally protected privacy rights of a patient by means of an unauthorized or unlawful disclosure;

(13) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(14) Violation of the drug laws or rules and regulations of this state, any other state or the federal government;

(15) Refusal of any applicant or licensee to respond to reasonable department of health and senior services' requests for necessary information to process an application or to determine license status or license eligibility;

(16) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health or safety of a patient or the public;

(17) Repeated acts of negligence or recklessness in the performance of the functions or duties of any activity licensed or regulated by sections 190.100 to 190.245.

3. If the department conducts investigations, the department, prior to interviewing a licensee who is the subject of the investigation, shall explain to the licensee that he or she has the right to:

(1) Consult legal counsel or have legal counsel present;

(2) Have anyone present whom he or she deems to be necessary or desirable[, except for any holder of any certificate, permit, or license required by sections 190.100 to 190.245]; and

(3) Refuse to answer any question or refuse to provide or sign any written statement.

The assertion of any right listed in this subsection shall not be deemed by the department to be a failure to cooperate with any department investigation.

4. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the department may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the department deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate or permit. Notwithstanding any provision of law to the contrary, the department shall be authorized to impose a suspension or revocation as a disciplinary action only if it first files the requisite complaint with the administrative hearing commission. **The administrative hearing commission shall hear all relevant evidence on remediation activities of the licensee and shall make a recommendation to the department of health and senior services as to**

licensure disposition based on such evidence.

5. An individual whose license has been revoked shall wait one year from the date of revocation to apply for relicensure. Relicensure shall be at the discretion of the department after compliance with all the requirements of sections 190.100 to 190.245 relative to the licensing of an applicant for the first time. Any individual whose license has been revoked twice within a ten-year period shall not be eligible for relicensure.

6. The department may notify the proper licensing authority of any other state in which the person whose license was suspended or revoked was also licensed of the suspension or revocation.

7. Any person, organization, association or corporation who reports or provides information to the department pursuant to the provisions of sections 190.100 to 190.245 and who does so in good faith shall not be subject to an action for civil damages as a result thereof.

8. The department of health and senior services may suspend any certificate, permit or license required pursuant to sections 190.100 to 190.245 simultaneously with the filing of the complaint with the administrative hearing commission as set forth in subsection 2 of this section, if the department finds that there is an imminent threat to the public health. The notice of suspension shall include the basis of the suspension and notice of the right to appeal such suspension. The licensee may appeal the decision to suspend the license, certificate or permit to the department. The appeal shall be filed within ten days from the date of the filing of the complaint. A hearing shall be conducted by the department within ten days from the date the appeal is filed. The suspension shall continue in effect until the conclusion of the proceedings, including review thereof, unless sooner withdrawn by the department, dissolved by a court of competent jurisdiction or stayed by the administrative hearing commission.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 411, Page 4, Section 70.370, Line 128, by inserting after all of said section and line the following:

“142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) “Agricultural purposes”, clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

(2) “Alternative fuel”, electricity, liquefied petroleum gas (LPG or LP gas), compressed natural gas product, or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

(3) “Aviation fuel”, any motor fuel specifically compounded for use in reciprocating aircraft engines;

(4) “Blend stock”, any petroleum product component of motor fuel, such as naphtha, reformat, toluene

or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

- (a) Will be ultimately used for consumer nonmotor fuel use; and
- (b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;
- (5) “Blended fuel”, a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;
- (6) “Blender”, any person that produces blended motor fuel outside the bulk transfer/terminal system;
- (7) “Blending”, the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;
- (8) “Bulk plant”, a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;
- (9) “Bulk transfer”, any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;
- (10) “Bulk transfer/terminal system”, the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;
- (11) “Consumer”, the user of the motor fuel;
- (12) “Delivery”, the placing of motor fuel or any liquid **or propulsion energy** into the **battery**, fuel tank, **or storage device** of a motor vehicle or bulk storage facility;
- (13) “Department”, the department of revenue;
- (14) “Destination state”, the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;
- (15) “Diesel fuel”, any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. “Diesel fuel” does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. “Diesel fuel” does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;
- (16) “Diesel-powered highway vehicle”, a motor vehicle operated on a highway that is propelled by a

diesel-powered engine;

(17) “Director”, the director of revenue;

(18) “Distributor”, a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

(19) “Dyed fuel”, diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

(20) “Eligible purchaser”, a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

(21) “Export”, to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

(22) “Exporter”, any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

(23) “Farm tractor”, all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

(24) “Fuel grade alcohol”, a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

(25) “Fuel transportation vehicle”, any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

(26) “Gasoline”, all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

(27) “Gross gallons”, the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

(28) “Heating oil”, a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

(29) “Import”, to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

(30) “Import verification number”, the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the

transporter carrying motor fuel into this state for the account of an importer;

(31) “Importer” includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

(32) “Interstate motor fuel user”, any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

(33) “Invoiced gallons”, the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

(34) “K-1 kerosene”, a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

(35) “Kerosene”, the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

(36) “Liquid”, any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;

(37) “Motor fuel”, gasoline, diesel fuel, kerosene and blended fuel;

(38) “Motor vehicle”, any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

(39) “Net gallons”, the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

(40) “Permissive supplier”, an out-of-state supplier that elects, but is not required, to have a supplier’s license pursuant to this chapter;

(41) “Person”, natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

(42) “Position holder”, the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

(43) “Propel”, the operation of a motor vehicle, whether it is in motion or at rest;

(44) “Public highway”, every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

(45) “Qualified terminal”, a terminal which has been assigned a terminal control number (“tcn”) by the Internal Revenue Service;

(46) “Rack”, a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

(47) “Refiner”, any person that owns, operates, or otherwise controls a refinery;

(48) “Refinery”, a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

(49) “Removal”, any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;

(50) “Retailer”, a person that engages in the business of selling or dispensing to the consumer within this state;

(51) “Supplier”, a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

(b) One or more of the following:

a. The position holder in a terminal or refinery in this state;

b. Imports motor fuel into this state from a foreign country;

c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or

d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. “Supplier” also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. “Supplier” includes a permissive supplier unless specifically provided otherwise;

(52) “Tank wagon”, a straight truck having multiple compartments designed or used to carry motor fuel;

(53) “Terminal”, a bulk storage and distribution facility which includes:

(a) For the purposes of motor fuel, is a qualified terminal;

(b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the

products are removed at a rack;

(54) “Terminal bulk transfers” include but are not limited to the following:

(a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;

(b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;

(c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and

(d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;

(55) “Terminal operator”, any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;

(56) “Transmix”, the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;

(57) “Transport truck”, a semitrailer combination rig designed or used to transport motor fuel over the highways;

(58) “Transporter”, any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;

(59) “Two-party exchange”, a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:

(a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and

(b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;

(60) “Ultimate vendor”, a person that sells motor fuel to the consumer;

(61) “Undyed diesel fuel”, diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing provisions; and

(62) “Vehicle fuel tank”, any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle.

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, seventeen cents per gallon;

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such

alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080 to be collected as required under this chapter;

(4) Compressed natural gas fuel, five cents per gasoline gallon equivalent until December 31, 2019, eleven cents per gasoline gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per gasoline gallon equivalent thereafter. The gasoline gallon equivalent and method of sale for compressed natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the gasoline gallon equivalent and method of sale for compressed natural gas shall be equal to five and sixty-six-hundredths pounds of compressed natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on compressed natural gas, including but not limited to licensing, reporting, penalties, and interest;

(5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31, 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and method of sale for liquefied natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof.

In the absence of such standard or agreement, the diesel gallon equivalent and method of sale for liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on liquefied natural gas, including but not limited to licensing, reporting, penalties, and interest;

(6) Propane gas fuel, five cents per gallon until December 31, 2019, eleven cents per gallon from January 1, 2020, until December 31, 2024, and then seventeen cents per gallon thereafter. All applicable provisions contained in this chapter governing administration, collection, and enforcement of the state motor fuel tax shall apply to the tax imposed on propane gas including, but not limited to, licensing, reporting, penalties, and interest;

(7) If a natural gas, compressed natural gas, [or] liquefied natural gas, electric, or propane connection is used for fueling motor vehicles and for another use, such as heating, the tax imposed by this section shall apply to the entire amount of natural gas, compressed natural gas, [or] liquefied natural gas, electricity, or propane used unless an approved separate metering and accounting system is in place.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section, provided that sales made to alternative fueled vehicles powered by **propane**, compressed natural gas, or liquefied natural gas that do not meet the requirements of subsection 3 of this section shall be taxed exclusively pursuant to

subdivisions (4) [and (5)] **to (7)** of subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles, **except plug-in electric hybrids**, shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter “F”; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter “F”; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. **Owners or operators of plug-in electric hybrids shall pay one-half of the stated annual alternative fuel decal fee.** Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section. **For the purposes of this section, a plug-in electric hybrid shall be any hybrid vehicle made by a manufacturer with a model year of 2018 or newer, that has not been modified from the original manufacturer specifications, with an internal combustion engine and batteries that can be recharged by connecting a plug to an electric power source.**

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel other than **propane**, compressed natural gas, and liquefied natural gas, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. Owners or operators of passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by compressed natural gas or liquefied natural gas who have installed a compressed natural gas fueling station or liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803. Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own or operate. Owners or operators of motor vehicles powered by compressed natural gas or liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use alternative fuel decals under this

subsection. Any compressed natural gas or liquefied natural gas obtained at any fueling station not owned by the owner or operator of the motor vehicle bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of subsection 1 of section 142.803.

4. An owner or operator of a motor vehicle powered by propane may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivision (6) of subsection 1 of section 142.803. If the appropriate motor fuel tax under subdivision (6) of subsection 1 of section 142.803 is collected at the time of fueling, an operator of a propane fueling station that uses quick-connect fueling nozzles may sell propane as a motor fuel without verifying the application of a valid Missouri alternative fuel decal. If an owner or operator of a motor vehicle powered by propane that bears an alternative fuel decal refuels at an unattended propane refueling station, such owner or operator shall not be eligible for a refund of the motor fuel tax paid at such refueling.

5. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year. This subsection shall not apply to an owner or operator of a motor vehicle powered by propane who fuels such vehicle exclusively at unattended fueling stations that collect the motor fuel tax.

[5.] **6.** Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

[6.] **7.** The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

[7.] **8.** It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal **unless the motor vehicle is exclusively fueled at propane, compressed natural gas, or liquefied natural gas fueling stations that collect the motor fuel tax.**

[8.] **9.** No person shall cause to be put, or put, [LP gas] **any alternative fuel** into the fuel supply receptacle **or battery** of a motor vehicle required to have an alternative fuel decal unless the motor vehicle **either** has a valid decal attached to it **or the appropriate motor fuel tax is collected at the time of such fueling.** [Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.]

[9.] **10.** Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

[10.] **11.** Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and

reporting requirements of this chapter.

Section 1. Notwithstanding any other provision of law, any political subdivision that imposes a local excise or sales tax enacted after January 1, 2017, under article IV, section 30(a) of the Constitution of Missouri shall use no less than ninety percent of such funds collected for the construction, reconstruction, maintenance, and repair of roads and streets and for the payment and interest on indebtedness incurred on account of road and street purposes, and no more than ten percent of such funds collected for policing, signing, lighting, and cleaning roads and streets.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. 3 to Senate Bill No. 411, Page 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“Amend Senate Bill No. 411, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“68.075. 1. This section shall be known and may be cited as the “Advanced Industrial Manufacturing Zones Act”.

2. As used in this section, the following terms shall mean:

(1) “AIM zone”, an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) **“County average wage”, the average wages in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;**

(3) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee’s work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the [state] **county** average wage.

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority’s jurisdiction, **ownership, or control**, and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority’s jurisdiction **or under the port authority’s ownership or control, and may be expanded or contracted by resolution of the port authority board of commissioners.**

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within such zone after development or redevelopment has commenced shall not be remitted to the general **revenue** fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the “Port Authority AIM Zone Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023.”; and

Further amend said bill, Page 4, Section 70.370, Line 128, by inserting after said section and”:and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 411, Page 4, Section 70.370, Line 128, by inserting after said section and line the following:

“307.005. For purposes of this chapter, a lamp, light, or other piece of lighting equipment consisting of multiple light-emitting diodes shall be deemed to be operating properly so long as not less than seventy-five percent of the light-emitting diodes are operating properly.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 411, Page 4, Section 70.370, Line 128, by inserting after all of said section and line the following:

“304.001. As used in this chapter and chapter 307, the following terms shall mean:

(1) “Abandoned property”, any unattended motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel removed or subject to removal from public or private property as provided in sections 304.155 and

304.157, whether or not operational. For any vehicle towed from the scene of an accident at the request of law enforcement and not retrieved by the vehicle's owner within five days of the accident, the agency requesting the tow shall be required to write an abandoned property report or a crime inquiry and inspection report;

(2) "Commercial vehicle enforcement officers", employees of the Missouri state highway patrol who are not members of the patrol but who are appointed by the superintendent of the highway patrol to enforce the laws, rules, and regulations pertaining to commercial vehicles, trailers, special mobile equipment and drivers of such vehicles;

(3) "Commercial vehicle inspectors", employees of the Missouri state highway patrol who are not members of the patrol but who are appointed by the superintendent of the highway patrol to supervise or operate permanent or portable weigh stations in the enforcement of commercial vehicle laws;

(4) "Commission", the state highways and transportation commission;

(5) **"Connected braking system", a system by which the braking of one vehicle is electronically coordinated with the braking systems of one or more other vehicles;**

(6) "Department", the state transportation department;

[(6)] (7) "Freeway", a divided state highway with four or more lanes, with no access to the throughways except the established interchanges and with no at-grade crossings;

[(7)] (8) "Interstate highway", a state highway included in the national system of interstate highways located within the boundaries of Missouri, as officially designated or as may be hereafter designated by the state highways and transportation commission with the approval of the Secretary of Transportation, pursuant to Title 23, U.S.C., as amended;

[(8)] (9) "Members of the patrol", the superintendent, lieutenant colonel, majors, captains, director of radio, lieutenants, sergeants, corporals and patrolmen of the Missouri state highway patrol;

[(9)] (10) "Off-road vehicle", any vehicle designed for or capable of cross-country travel on or immediately over land, water, ice, snow, marsh, swampland, or other natural terrain without benefit of a road or trail:

(a) Including, without limitation, the following:

- a. Jeeps;
- b. All-terrain vehicles;
- c. Dune buggies;
- d. Multiwheel drive or low-pressure tire vehicles;
- e. Vehicle using an endless belt, or tread or treads, or a combination of tread and low-pressure tires;
- f. Motorcycles, trail bikes, minibikes and related vehicles;
- g. Any other means of transportation deriving power from any source other than muscle or wind; and

(b) Excluding the following:

- a. Registered motorboats;
- b. Aircraft;
- c. Any military, fire or law enforcement vehicle;
- d. Farm-type tractors and other self-propelled equipment for harvesting and transporting farm or forest products;
- e. Any vehicle being used for farm purposes, earth moving, or construction while being used for such purposes on the work site;
- f. Self-propelled lawnmowers, or lawn or garden tractors, or golf carts, while being used exclusively for their designed purpose; and
- g. Any vehicle being used for the purpose of transporting a handicapped person;

[(10)] **(11)** “Person”, any natural person, corporation, or other legal entity;

[(11)] **(12)** “Platoon”, a group of individual commercial motor vehicles that are traveling in a unified manner at electronically coordinated speeds through use of a connected braking system and that are not subject to the following distance requirements of section 304.044;

(13) “Right-of-way”, the entire width of land between the boundary lines of a state highway, including any roadway;

[(12)] **(14)** “Roadway”, that portion of a state highway ordinarily used for vehicular travel, exclusive of the berm or shoulder;

[(13)] **(15)** “State highway”, a highway constructed or maintained by the state highways and transportation commission with the aid of state funds or United States government funds, or any highway included by authority of law in the state highway system, including all right-of-way;

[(14)] **(16)** “Towing company”, any person or entity which tows, removes or stores abandoned property;

[(15)] **(17)** “Urbanized area”, an area with a population of fifty thousand or more designated by the Bureau of the Census, within boundaries to be fixed by the state highways and transportation commission and local officials in cooperation with each other and approved by the Secretary of Transportation. The boundary of an urbanized area shall, at a minimum, encompass the entire urbanized area as designed by the Bureau of the Census.

304.017. 1. The driver of a vehicle shall not follow another vehicle more closely than is reasonably safe and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the roadway **and the presence of any connected braking system operating on the vehicle**. Vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated, except in a funeral procession or in a duly authorized parade, so as to allow sufficient space between each such vehicle or combination of vehicles as to enable any other vehicle to overtake or pass such vehicles in safety. This section shall in no manner affect section 304.044 relating to distance between trucks traveling on the highway.

2. Violation of this section shall be deemed a class C misdemeanor.

304.044. 1. The following terms as used in this section shall mean:

(1) “Bus”, any vehicle or motor car designed and used for the purpose of carrying more than seven persons;

(2) “Truck”, any vehicle, machine, tractor, trailer or semitrailer, or any combination thereof, propelled or drawn by mechanical power and designed or used in the transportation of property upon the highways.

2. **Except as provided in subsection 4 of this section**, the driver of any truck or bus, when traveling upon a public highway of this state outside of a business or residential district, shall not follow within three hundred feet of another such vehicle; provided, the provisions of this section shall not be construed to prevent the overtaking and passing, by any such truck or bus, of another similar vehicle.

3. **Except as provided in subsection 4 of this section**, any person who shall violate the provisions of this section shall be deemed guilty of a class C misdemeanor, and upon conviction thereof shall be punished accordingly.

4. **Subsections 2 and 3 of this section shall not apply to a vehicle that is part of a platoon, as defined in section 304.001 so long as:**

(1) **An appropriately endorsed driver who holds a valid commercial driver’s license is present behind the wheel of each commercial motor vehicle in the platoon;**

(2) **When traveling, the driver of each vehicle in the platoon maintains a reasonably safe following distance taking into account the performance, speed, braking capability, load, road conditions, and weather of the vehicles in the platoon;**

(3) **When traveling, the driver of each vehicle in the platoon allows reasonable access to afford the other vehicles safe movement among lanes to exit or enter the highway; and**

(4) **The vehicle adheres to all other relevant federal and Missouri regulations, including without limitation this section and sections 304.012 and 304.017.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to Senate Bill No. 411, Page 16, Line 36, by deleting said line and inserting after all of said line the following:

“in any way a property tax levied under section 205.971.

347.048. 1. (1) Any limited liability company that owns and rents or leases real property, or owns unoccupied real property, located within any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county, shall file with that city’s clerk an affidavit listing the name and **street** address of at least one **natural** person who has management control and responsibility for the real property owned and leased or rented by the limited liability company, or owned by the limited liability company and unoccupied.

(2) **Within thirty days following the cessation of management control and responsibility of any natural person named in an affidavit described under this section, the limited liability company shall**

file a successor affidavit listing the name and street address of a natural person successor.

2. No limited liability company shall be charged a fee for filing an affidavit or successor affidavit required under this section.

3. If a limited liability company required under this section to file an affidavit or a successor affidavit fails or refuses to file such completed affidavit with the appropriate clerk, any person who is adversely affected by such failure or refusal or the home rule city may petition the circuit court in the county where the property is located to direct the execution and filing of such document.”; and”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 411, Page 4, Section 70.370, Line 128, by inserting immediately after all of said section and line the following:

“99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise, the following terms shall mean:

(1) “Blighted area”, an area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

(2) “Collecting officer”, the officer of the municipality responsible for receiving and processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of revenue;

(3) “Conservation area”, any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) “Economic activity taxes”, the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of

tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

(5) “Economic development area”, any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of this section, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- (a) Discourage commerce, industry or manufacturing from moving their operations to another state; or
- (b) Result in increased employment in the municipality; or
- (c) Result in preservation or enhancement of the tax base of the municipality;

(6) “Gambling establishment”, an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;

(7) “Greenfield area”, any vacant, unimproved, or agricultural property that is located wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by contiguous properties with agricultural zoning classifications or uses unless said property was annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance approving the redevelopment plan for such greenfield area;

(8) “Municipality”, a city, village, or incorporated town or any county of this state. For redevelopment areas or projects approved on or after December 23, 1997, municipality applies only to cities, villages, incorporated towns or counties established for at least one year prior to such date;

(9) “Obligations”, bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding obligations;

(10) “Ordinance”, an ordinance enacted by the governing body of a city, town, or village or a county or an order of the governing body of a county whose governing body is not authorized to enact ordinances;

(11) “Payment in lieu of taxes”, those estimated revenues from real property in the area selected for a redevelopment project, which revenues according to the redevelopment project or plan are to be used for a private use, which taxing districts would have received had a municipality not adopted tax increment allocation financing, and which would result from levies made after the time of the adoption of tax increment allocation financing during the time the current equalized value of real property in the area selected for the redevelopment project exceeds the total initial equalized value of real property in such area until the designation is terminated pursuant to subsection 2 of section 99.850;

(12) “Previously commercial land”, an area that for the previous forty years was continuously assessed as utility, industrial, commercial, railroad, and all other real property and not as residential property or agricultural or horticultural property as those subclasses are named under article X, section 4(b) of the Constitution of Missouri;

(13) “Redevelopment area”, an area designated by a municipality, in respect to which:

(a) The municipality has made a finding that there exist conditions which cause the area to be classified as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant to sections 135.200 to 135.256, or a combination thereof[, which] ;

(b) Is located in:

a. Any county of the first classification with more than ninety-two thousand but fewer than one hundred one thousand inhabitants;

b. Any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants;

c. Any county of the first classification with more than two hundred sixty thousand but fewer than three hundred thousand inhabitants;

d. Any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants;

e. Any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants;

f. Any county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat;

g. Any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants;

h. A city not within a county; or

i. Any county with a charter form of government and with more than nine hundred fifty thousand inhabitants;

(c) Is previously commercial land; and

(d) Whose area includes only those parcels of real property directly and substantially benefitted by the proposed redevelopment project;

[(13)] (14) “Redevelopment plan”, the comprehensive program of a municipality for redevelopment intended by the payment of redevelopment costs to reduce or eliminate those conditions, the existence of which qualified the redevelopment area as a blighted area, conservation area, economic development area, or combination thereof, and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

[(14)] (15) “Redevelopment project”, any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a

legal description of the area selected for the redevelopment project;

[(15)] (16) “Redevelopment project costs” include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to:

a. Acquisition of land and other property, real or personal, or rights or interests therein;

b. Demolition of buildings; and

c. The clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

(e) Initial costs for an economic development area;

(f) Costs of construction of public works or improvements;

(g) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district’s capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)] (17) “Special allocation fund”, the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) “Special taxing district”, a fire protection district or other political subdivision that levies a sales tax whose revenue is dedicated to a purpose within such district. A special taxing district shall include a municipality or county that levies a sales tax whose revenue is dedicated to a purpose other than the municipality’s or county’s general revenue including, but not limited to, education and public safety;

(19) “Taxing districts”, any political subdivision of this state having the power to levy taxes;

[(18)] (20) “Taxing districts’ capital costs”, those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] (21) “Vacant land”, any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefitted by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality’s request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 or 3 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area.

Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission [of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more

than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed] as follows:

(1) [In] **For all municipalities, nine members as follows:**

(a) Two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

[(2) In all municipalities] (b) One member shall be appointed, in any manner agreed upon by the affected districts, to represent all **special taxing districts** or other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality; **and**

[(3) In all municipalities] (c) Six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality. **If the municipality is a city, village, or incorporated town located in a county, then no more than four members shall be appointed by the chief elected officer of such city, village, or incorporated town, and the remainder shall be appointed by the chief elected officer of the county; and**

[(4)] (2) In [all municipalities which are] **addition to the members under subdivision (1) of this subsection, any municipality that is not [counties] a county** and not in a [first class] county with a charter form of government having a population in excess of nine hundred thousand[,], **shall have two additional** members [shall be] appointed by the county of such municipality in the same manner as members are appointed in **paragraph (c) of subdivision [(3)] (1) of this subsection; or**

[(5)] (3) In **addition to the members under subdivision (1) of this subsection,** a municipality [which] **that** is a county with a charter form of government having a population in excess of nine hundred thousand[,], **shall have three additional** members [shall be] appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree; **or**

[(6)] (4) In **addition to the members under subdivision (1) of this subsection,** a municipality [which] **that** is located in [the first class] a county with a charter form of government having a population in excess of nine hundred thousand[,], **shall have three additional** members [shall be] appointed by the county of such municipality in the same manner as members are appointed in **paragraph (c) of subdivision [(3)] (1) of this subsection;**

(7)] .

At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to

any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments. Members appointed by the county executive or presiding commissioner prior to August 28, 2008, shall continue their service on the commission established in subsection 3 of this section without further appointment unless the county executive or presiding commissioner appoints a new member or members.

3. Beginning August 28, 2008:

(1) In lieu of a commission created under subsection 2 of this section, any city, town, or village in a county with a charter form of government and with more than one million inhabitants, in a county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, or in a county of the first classification with more than one hundred eighty-five thousand but fewer than two hundred thousand inhabitants shall, prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, create a commission consisting of twelve persons to be appointed as follows:

(a) Six members appointed either by the county executive or presiding commissioner; notwithstanding any provision of law to the contrary, no approval by the county's governing body shall be required;

(b) Three members appointed by the cities, towns, or villages in the county which have tax increment financing districts in a manner in which the chief elected officials of such cities, towns, or villages agree;

(c) Two members appointed by the school boards whose districts are included in the county in a manner in which the school boards agree; and

(d) One member to represent all other districts levying ad valorem taxes in the proposed redevelopment area in a manner in which all such districts agree.

No city, town, or village subject to this subsection shall create or maintain a commission under subsection 2 of this section, except as necessary to complete a public hearing for which notice under section 99.830 has been provided prior to August 28, 2008, and to vote or make recommendations relating to redevelopment plans, redevelopment projects, or designation of redevelopment areas, or amendments thereto that were the subject of such public hearing;

(2) Members appointed to the commission created under this subsection, except those six members appointed by either the county executive or presiding commissioner, shall serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan, or designation of a redevelopment area is considered for approval by the commission. The six members appointed by either the county executive or the presiding commissioner shall serve on all such commissions until replaced. The city, town, or village that creates a commission under this subsection shall send notice thereof by certified mail to the county executive or presiding commissioner, to the school districts whose boundaries include

any portion of the proposed redevelopment area, and to the other taxing districts whose boundaries include any portion of the proposed redevelopment area. The city, town, or village that creates the commission shall also be solely responsible for notifying all other cities, towns, and villages in the county that have tax increment financing districts and shall exercise all administrative functions of the commission. The school districts receiving notice from the city, town, or village shall be solely responsible for notifying the other school districts within the county of the formation of the commission. If the county, school board, or other taxing district fails to appoint members to the commission within thirty days after the city, town, or village sends the written notice, as provided herein, that it has convened such a commission or within thirty days of the expiration of any such member's term, the remaining duly appointed members of the commission may exercise the full powers of the commission.

4. (1) Any commission created under this section, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830.

(2) Any commission created under subsection 2 of this section shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

(3) Any commission created under subsection 3 of this section shall, within fifteen days of the receipt of a redevelopment plan meeting the minimum requirements of section 99.810, as determined by counsel to the city, town, or village creating the commission and a request by the applicable city, town, or village for a public hearing, fix a time and place for the public hearing referred to in section 99.825. The public hearing shall be held no later than seventy-five days from the commission's receipt of such redevelopment plan and request for public hearing. The commission shall vote and make recommendations to the governing body of the city, town, or village requesting the public hearing on all proposed redevelopment plans, redevelopment projects, and designations of redevelopment areas, and amendments thereto within thirty days following the completion of the public hearing. A recommendation of approval shall only be deemed to occur if a majority of the commissioners voting on such plan, project, designation, or amendment thereto vote for approval. A tied vote shall be considered a recommendation in opposition. If the commission fails to vote **a recommendation for approval** within thirty days following the completion of the public hearing referred to in section 99.825 concerning the proposed redevelopment plan, redevelopment project, or designation of redevelopment area, or amendments thereto, such plan, project, designation, or amendment thereto shall be deemed rejected by the commission.

5. Beginning August 28, 2017:

(1) All redevelopment plans, before final approval of the project, shall obtain an opinion from the department of economic development as to whether the redevelopment plan is financially feasible without economic activity taxes and payments in lieu of taxes;

(2) The department shall assume that the redevelopment plan is financially feasible without economic activity taxes and payments in lieu of taxes, and the burden shall be on the proponents of the redevelopment plan to show otherwise;

(3) No redevelopment plan that the department of economic development determines is feasible without economic activity taxes and payments in lieu of taxes shall be implemented;

(4) The department of economic development may promulgate rules to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

6. It shall be the policy of the state that each redevelopment plan or project of a municipality be carried out with full transparency to the public. The records of the tax increment financing commission including, but not limited to, commission votes and actions, meeting minutes, summaries of witness testimony, data, and reports submitted to the commission shall be retained by the governing body of the municipality that created the commission and shall be made available to the public in accordance with chapter 610.

99.843. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, no new tax increment financing project shall be authorized in any greenfield area, as such term is defined in section 99.805], that is located within a city not within a county or any county subject to the authority of the East-West Gateway Council of Governments. Municipalities not subject to the authority of the East-West Gateway Council of Governments may authorize tax increment finance projects in greenfield areas].

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project

and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's levy rate for ad valorem tax on real property, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund without the consent of such taxing district. Revenues will be considered directly attributable to the newly voter-approved incremental increase to the extent that they are generated from the difference between the taxing district's actual levy rate currently imposed and the maximum voter-approved levy rate at the time that the redevelopment project was adopted. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850[.] ;

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to Article VI, Section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes[.] ;

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of Article III, Section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998;

(4) The board or body that oversees a special taxing district, as that term is defined under section 99.805, may elect to have the property or sales taxes levied by such district excluded from a tax increment allocation financing project or plan by passing a resolution by two-thirds majority prior

to the time the project or plan is adopted or approved by ordinance. At least ten days prior to the vote on the resolution, the board shall post notice of and hold a public hearing. If the resolution passes, the board shall notify the director of revenue and county collector. If the resolution passes, subdivisions (1) and (2) of this subsection shall not apply to any tax levied by the special taxing district, and all revenue from such tax shall be allocated to the district and shall not be allocated to redevelopment costs and obligations; and

(5) A school board of a school district may elect to have the portion of property tax revenue allocated to the school district by a county or municipality excluded from a tax increment allocation financing project or plan by passing a resolution by two-thirds majority prior to the time the project or plan is adopted or approved by ordinance. At least ten days prior to the vote on the resolution, the board shall post notice of and hold a public hearing. If the resolution passes, the board shall notify the director of revenue and county collector. If the resolution passes, subdivision (2) of this subsection shall not apply to the percentage of property tax revenue equal to the average percentage of property tax revenue allocated to the school district over the preceding five years, and such percentage of revenue attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property within the redevelopment project area shall be allocated to the school district and shall not be allocated to redevelopment costs and obligations.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and

maintaining a metropolitan park and recreation district, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered economic activity taxes subject to deposit into a special allocation fund without the consent of such taxing district.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects shall deposit such funds in a separate segregated account within the special allocation fund established [pursuant to section] **under sections 99.805 to 99.865.**

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the

department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to the following:

(1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(a) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(b) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand;

(2) Blighted areas consisting solely of the site of a former automobile manufacturing plant located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing plant" means a redevelopment area containing a minimum of one hundred acres, and such redevelopment area was previously used primarily for the manufacture of automobiles but ceased such manufacturing after the 2007 calendar year; or

(3) Blighted areas consisting solely of the site of a former insurance company national service center containing a minimum of one hundred acres located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsection 4 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

(h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(i) The street address of the development site;

(j) The three-digit North American Industry Classification System number or numbers characterizing the development project;

(k) The estimated development project costs;

(l) The anticipated sources of funds to pay such development project costs;

(m) Evidence of the commitments to finance such development project costs;

(n) The anticipated type and term of the sources of funds to pay such development project costs;

(o) The anticipated type and terms of the obligations to be issued;

(p) The most recent equalized assessed valuation of the property within the development project area;

(q) An estimate as to the equalized assessed valuation after the development project area is developed

in accordance with a development plan;

(r) The general land uses to apply in the development area;

(s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;

(t) The total number of full-time equivalent positions in the development area;

(u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;

(v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;

(w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;

(x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;

(y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars; provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve either:

(a) A former automobile manufacturing plant; or

(b) The retention of a federal employer employing over two thousand geospatial intelligence jobs.

At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in the aggregate. At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million dollars in the aggregate. To the extent a redevelopment plan or project independently meets the eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time shall the annual amount of new state revenues for disbursements from the Missouri supplemental tax increment financing fund for such eligible redevelopment plan or project exceed twelve million dollars in the aggregate;

(4) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri

Supplemental Tax Increment Financing Fund”, to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsection 4 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Notwithstanding any other provision of the law to the contrary, the adoption of any tax increment financing authorized under sections 99.800 to 99.865 shall not supersede, alter, or reduce in any way a property tax levied under section 205.971.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 161**, entitled:

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Ozark exploration bicentennial commission.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Brown moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 17**, as amended, and grant the House a conference thereon, which motion prevailed.

Senator Brown moved that the Senate refuse to recede from its position on **SCS** for **HCS** for **HB 19** and grant the House a conference thereon, which motion prevailed.

On behalf of Senator Kehoe, Senator Richard requested unanimous consent of the Senate to correct the committee report for Thursday, April 27, 2017, from the Committee on Rules, Joint Rules, Resolutions and Ethics on **SCR 25**, which request was granted.

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCR 25**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

SENATE COMMITTEE SUBSTITUTE FOR
SENATE CONCURRENT RESOLUTION NO. 25

Whereas, the legislature finds that the Patient Protection and Affordable Care Act encourages states to develop innovative approaches to insuring their populations by authorizing states to apply for waivers from certain requirements of the act; and

Whereas, to be eligible, a state must demonstrate that its proposed health insurance reforms are as comprehensive and affordable as the federal requirements for insurance sold in its state; and

Whereas, proposed reforms must be budget neutral for the federal government; and

Whereas, states that are granted innovation waivers may receive federal assistance to operate their reform programs in an amount that is equivalent to the aggregate amount of tax credits and cost-sharing subsidies that the federal government would have paid for individuals enrolled in the state; and

Whereas, the legislature believes that the Affordable Care Act did not accomplish the intended result of providing affordable care for residents of the state as a whole and believes the state may be able to create a more effective alternative solution for providing affordable health coverage to individuals; and

Whereas, the purpose of this resolution is to establish a state innovation waiver task force to develop a health care reform plan that meets the requirements for obtaining a state innovation waiver:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby create the State Innovation Waiver Task Force; and

Be It Further Resolved that the task force shall consist of the following members:

- (1) One member of the House of Representatives to be appointed and designated chair by the Speaker of the House of Representatives;
- (2) One member of the Senate, to be appointed and designated vice chair by the President Pro Tempore of the Senate;
- (3) The Director of the Department of Insurance, Financial Institutions, and Professional Registration, or his or her designee;
- (4) The Director of the Department of Social Services, or his or her designee;
- (5) The Director of the Department of Labor and Industrial Relations, or his or her designee;
- (6) The Attorney General, or his or her designee;
- (7) The Executive Director of the Missouri Consolidated Health Care Plan, or his or her designee;
- (8) One representative or member of the Missouri Insurance Coalition, to be appointed by the President Pro Tempore of the Senate;
- (9) One representative or member of the Missouri Association of Insurance Agents, to be appointed by the Speaker of the House of Representatives;
- (10) One representative or member of the Missouri Association of Health Underwriters, to be appointed by the President Pro Tempore of the Senate;
- (11) One representative or member of the Missouri Hospital Association, to be Appointed by the Speaker of the House of Representatives;
- (12) One physician, to be appointed by the President Pro Tempore of the Senate;
- (13) One physician, to be appointed by the Speaker of the House of Representatives;
- (14) One representative or member of the Missouri Pharmacy Association, to be appointed by the President Pro Tempore of the Senate;
- (15) One representative or member of the home health care industry, to be appointed by the Speaker of the House of Representatives;
- (16) One person who is a consumer advocate with a commitment to representing the consumer interest in insurance regulation, to be appointed by the President Pro Tempore of the Senate; and

Be It Further Resolved that the members of the task force shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties; and

Be It Further Resolved that as used in this resolution, "federal act" means the Patient Protection and Affordable Health Care Act"; and

Be It Further Resolved that the mission of the task force shall be to fully consider and make recommendations in a report based on:

(1) The feasibility of alternative approaches to the health reform requirements described under section 1332(a)(2) of the federal act;

(2) Alternatives to and possible exemptions or waivers from requirements relating to allowable premium rate variations based upon age, as described in section 1201 of the federal act; and

Be It Further Resolved that the task force shall develop, and include in its report, a plan for applying for a state innovation waiver that meets the requirements of section 1332 of the federal act, including:

(1) Developing a strategy for health care reform that provides coverage that is at least as comprehensive as required by the federal act, provides coverage and cost-sharing protections that are at least as affordable as under the federal act, makes health insurance coverage available to as many residents of Missouri as under the federal act, and is budget neutral for the federal government;

(2) Examining the feasibility of options for providing affordable insurance coverage for uninsured and underinsured individuals in Missouri that include innovations to the state's existing Medicaid program;

(3) Ensuring compliance with all applicable public notice requirements of 31 CFR 33 and 45 CFR 155, as amended; and

Be It Further Resolved that the task force shall prepare and include in its report a draft application for a state innovation waiver, to take effect for plan years beginning on or after January 1, 2019; and

Be It Further Resolved that the task force shall submit its report to the legislature, including any proposed legislation and the draft application, no later than twenty days prior to the convening of the veto session of 2018; and

Be It Further Resolved that if provisions of the federal act are repealed or replaced the task force shall remain in force to continue developing innovative approaches to providing comprehensive and affordable health care coverage to residents of this state; and

Be It Further Resolved that the staff of Senate Research and House Research shall provide such legal, research, clerical, technical, and bill drafting services as the task force may require in the performance of its duties; and

Be It Further Resolved that the task force, its members, and any staff assigned to the task force shall receive reimbursement for the actual and necessary expenses incurred in attending meetings of the task force; and

Be It Further Resolved that the chair or vice chair of the task force shall call an organizational meeting within fifteen days of the adoption of this resolution; and

Be It Further Resolved that the task force shall terminate by either a majority of members voting for termination, or by December 31, 2018, whichever occurs first; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the Governor, the Director of the Department of Insurance, Financial Institutions, and Professional Registration, the Director of the Department of Social Services, the Director of the Department of Labor and Industrial Relations, the Attorney General, and the Executive Director of the Missouri Consolidated Health Care Plan.

REFERRALS

President Pro Tem Richard referred **HB 469**, with **SCS**; **HCS** for **HB 694**; **HB 815**, with **SCS**; and **HCS** for **HB 935**, with **SCS** to the Committee on Fiscal Oversight.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 2**, with **SCS**, as amended: Senators Brown, Sater, Cunningham, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 3**, with **SCS**: Senators Brown, Sater, Hegeman, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 4**, with **SCS**: Senators Brown, Sater, Wallingford, Curls and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 5**, with **SCS**: Senators Brown, Sater, Wallingford, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 6**, with **SCS**, as amended: Senators Brown, Sater, Hegeman, Curls and

Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 7**, with **SCS**: Senators Brown, Sater, Cunningham, Curls and Walsh.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 8**, with **SCS**: Senators Brown, Sater, Wallingford, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 9**, with **SCS**: Senators Brown, Sater, Hegeman, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 10**, with **SCS**: Senators Brown, Sater, Cunningham, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 11**, with **SCS**: Senators Brown, Sater, Cunningham, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 12**, with **SCS**, as amended: Senators Brown, Sater, Hegeman, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 17**, with **SCS**, as amended: Senators Brown, Sater, Cunningham, Curls and Nasheed.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **HB 19**, with **SCS**: Senators Brown, Sater, Cunningham, Curls and Nasheed.

PRIVILEGED MOTIONS

Senator Munzlinger moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, as amended, **HA 4**, **HA 5**, **HA 6**, **HA 7**, **HA 8**, as amended and **HA 9**, as amended to **SB 8** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, and further that the conferees be allowed to exceed the differences, which motion prevailed.

President Pro Tem Richard replaced Senator Curls with Senator Nasheed on the conference committee for **HCS** for **HB 7**, with **SCS**.

INTRODUCTION OF GUESTS

Senator Chappelle-Nadal introduced to the Senate, Austin Baer, Ashley Hollis, Jacob Ruboneka and Dondre Hess.

Senator Chappelle-Nadal introduced to the Senate, Rebecca Margaret Bruce, Sydney, Australia.

Senator Munzlinger introduced to the Senate, Sarah Kwast.

On motion of Senator Onder, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-THIRD DAY—TUESDAY, MAY 2, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler	HCS for HBs 960, 962 & 828
HCS for HB 619	HCS for HB 670
HCS for HB 162	HB 743-Conway
HB 97-Swan	HB 824-Reiboldt
HCS for HB 293	HCS for HB 384
HCS for HB 219	HCS for HB 886
HCS for HB 324	HCB 7-Fitzwater
HCS for HB 746	HCB 1-McGaugh
HCS for HB 194	HCS for HB 608

SENATE BILLS FOR PERFECTION

1. SB 495-Riddle, with SCS	12. SB 380-Riddle
2. SB 532-Hoskins	13. SB 297-Hummel, with SCS
3. SB 518-Emery	14. SB 474-Schatz
4. SB 341-Nasheed, with SCS	15. SB 483-Holsman
5. SJR 5-Emery, with SCS	16. SB 498-Nasheed
6. SB 305-Kehoe, et al	17. SB 251-Kehoe, with SCS
7. SB 535-Wallingford	18. SB 528-Hegeman
8. SB 523-Sater, with SCS	19. SB 307-Munzlinger
9. SB 480-Kraus	20. SB 472-Hoskins
10. SB 407-Riddle, with SCS	21. SB 524-Koenig, with SCS
11. SB 353-Wallingford, with SCS	

HOUSE BILLS ON THIRD READING

1. HB 288-Fitzpatrick (Kehoe)	6. HCS for HB 381, with SCS (Hegeman)
2. HCS for HB 151 (Silvey)	7. HB 58-Haefner (Onder)
3. HB 850-Davis (Kraus)	8. HB 175-Reiboldt, with SCS (Munzlinger)
4. HCS for HB 452 (Rowden)	9. HB 327-Morris (Curls)
5. HCS for HB 831, with SCS (Hummel)	(In Fiscal Oversight)

10. HB 680-Fitzwater, with SCS (Wasson)
11. HCS for HB 57-Haefner, with SCS (Libla)
12. HCS for HB 422 (Dixon)
13. HB 245-Rowland, with SCS (Cunningham)
14. HB 262-Sommer (Hoskins)
15. HCS for HB 270 (Rowden)
16. HCS for HB 661, with SCS (Emery)
17. HB 758-Cookson, with SCS (Romine)
18. HCS for HB 138, with SCS (Onder)
19. HCS for HB 441 (Rowden)
20. HCS for HB 253, with SCS (Romine)
21. HB 94-Lauer (Romine)
22. HB 248-Fitzwater, with SCS (Cunningham)
23. HB 289-Fitzpatrick, with SCS (Rowden)
24. HB 493-Bondon, with SCS (Silvey)
25. HB 52-Andrews (Hegeman)
26. HCS for HB 647, with SCS (Sater)
27. HCS for HB 353, with SCS (Sater)
28. HCS for HB 54, with SCS (Emery)
29. HB 355-Bahr (Eigel)
30. HCS for HB 122, with SCS (Onder)
31. HCS for HB 230, with SCS (Koenig)
32. HB 700-Cookson, with SCS (Libla)
33. HB 1045-Haahr (Wasson)
34. HB 909-Fraker (Wasson)
35. HCS for HB 631, with SCS (Emery)
36. HCS for HB 348 (Romine)
37. HJR 10-Brown (Romine)
38. HCS#2 for HB 502 (Rowden)
39. HCS for HB 304, with SCS (Koenig)
40. HB 871-Davis, with SCS (Kraus)
41. HB 843-McGaugh, with SCS (Hegeman)
42. HB 200-Fraker, with SCS (Sater)
43. HCS for HB 703 (Hegeman)
44. HB 956-Kidd, with SCS (Rizzo)
45. HCS for HB 199, with SCS (Cunningham)
46. HB 87-Henderson, with SCS (Romine)
47. HB 587-Redmon, with SCS (Hegeman)
48. HCS for HB 258, with SCS (Munzlinger)
49. HB 349-Brown, with SCS (Sater)
50. HCS for HB 316, with SCS (Wallingford)
51. HB 558-Ross, with SCS (Schatz)
52. HB 586-Rhoads (Rowden)
53. HB 256-Rhoads, with SCS (Munzlinger)
54. HCS for HB 645 (Sater)
55. HCS for HB 183 (Nasheed)
56. HCS for HB 542 (Schatz)
57. HB 61-Alferman (Schatz)
58. HB 128, HB 678, HB 701 & HB 964-Davis, with SCS (Richard)
59. HB 811-Ruth (Wieland)
60. HB 805-Basye (Rowden)
61. HB 664-Korman (Riddle)
62. HB 105-Love (Kraus)
63. HB 849-Pfautsch (Kraus)
64. HCS for HB 260, with SCS (Sater)
65. HCS for HB 1158, with SCS (Riddle)
66. HCS for HB 159 (Brown)
67. HB 598-Cornejo (Hegeman)
68. HB 469-Gannon, with SCS (In Fiscal Oversight)
69. HCS for HB 935, with SCS (In Fiscal Oversight)
70. HB 193-Kelley
71. HB 281-Rowland (Sater)
72. HB 568-Tate, with SCS (Schatz)
73. HCS for HB 741, with SCS
74. HB 815-Basye, with SCS (Riddle) (In Fiscal Oversight)
75. HB 557-Ross
76. HCS for HB 694 (Cunningham) (In Fiscal Oversight)
77. HCS for HB 225 (Munzlinger)
78. HCS for HB 181 (Sater)
79. HB 697-Trent (Rowden)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SB 141-Emery
SB 6-Richard, with SCS	SB 142-Emery
SB 13-Dixon	SB 144-Wallingford
SB 20-Brown	SB 145-Wallingford, with SCS
SB 21-Brown	SB 147-Romine
SB 28-Sater, with SCS (pending)	SB 156-Munzlinger, with SCS
SB 32-Emery, with SCS	SB 157-Dixon, with SCS
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 158-Dixon
SB 41-Wallingford and Emery, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 163-Romine
SBs 44 & 63-Romine, with SCS	SB 169-Dixon, with SCS
SB 46-Libla, with SCS	SB 171-Dixon and Sifton, with SCS
SB 61-Hegeman, with SCS	SB 176-Dixon
SB 67-Onder, et al, with SS, SA 1 & SSA 1 for SA 1 (pending)	SB 177-Dixon, with SCS
SB 68-Onder and Nasheed	SB 178-Dixon
SB 76-Munzlinger	SB 180-Nasheed, with SCS
SB 80-Wasson, with SCS	SB 183-Hoskins, with SCS
SB 81-Dixon	SB 184-Emery, with SS (pending)
SB 83-Dixon	SB 185-Onder, et al, with SCS
SB 85-Kraus, with SCS	SB 188-Munzlinger, with SCS
SB 96-Sater and Emery	SB 189-Kehoe, with SCS
SB 97-Sater, with SCS	SB 190-Emery, with SCS & SS#2 for SCS (pending)
SB 102-Cunningham, with SCS	SB 196-Koenig
SB 103-Wallingford	SB 199-Wasson
SB 109-Holsman, with SCS	SB 200-Libla
SB 115-Schupp, with SCS	SB 201-Onder, with SCS
SB 117-Schupp, with SCS	SB 203-Sifton, with SCS
SB 122-Munzlinger, with SCS	SB 207-Sifton
SB 123-Munzlinger	SB 209-Wallingford
SB 126-Wasson	SB 210-Onder, with SCS
SB 129-Dixon and Sifton, with SCS	SB 220-Riddle, with SCS & SS for SCS (pending)
SB 130-Kraus, with SCS	SB 221-Riddle
SB 133-Chappelle-Nadal	SB 223-Schatz, with SCS
SB 138-Sater	SB 227-Koenig, with SCS
	SB 228-Koenig, with SS & SA 1 (pending)

SB 230-Riddle	SB 358-Wieland
SB 232-Schatz	SB 362-Hummel
SB 233-Wallingford	SB 368-Rowden
SB 234-Libla, with SCS	SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)
SB 239-Rowden, with SCS	SB 378-Wallingford
SB 242-Emery, with SCS	SB 379-Schatz
SB 243-Hegeman	SB 381-Riddle
SB 247-Kraus, with SCS	SB 383-Eigel and Wieland
SB 250-Kehoe	SB 384-Rowden, with SCS
SB 252-Dixon, with SCS	SB 389-Sater, with SCS
SB 258-Munzlinger	SB 391-Munzlinger
SB 259-Munzlinger	SB 392-Holsman
SB 260-Munzlinger	SB 406-Wasson and Sater
SB 261-Munzlinger	SB 409-Koenig
SB 262-Munzlinger	SB 410-Schatz
SB 263-Riddle	SB 413-Munzlinger
SB 264-Dixon	SB 418-Hegeman, with SCS
SB 267-Schatz, with SCS	SB 419-Riddle
SB 271-Wasson and Richard, with SCS	SB 422-Cunningham, with SCS
SB 280-Hoskins, with SCS	SB 426-Wasson, with SCS
SB 284-Hegeman, with SCS	SB 427-Wasson
SBs 285 & 17-Koenig, with SCS	SB 430-Cunningham, with SCS
SB 286-Rizzo	SB 433-Sater, with SCS
SB 290-Schatz, with SCS	SB 435-Cunningham, with SCS
SB 295-Schaaf, with SCS	SB 442-Hegeman
SB 298-Curls	SB 445-Rowden
SB 303-Wieland, with SCS	SB 448-Emery
SB 311-Wasson, with SCS	SB 451-Nasheed, with SS (pending)
SBs 314 & 340-Schatz, et al, with SCS	SB 468-Hegeman
SB 316-Rowden, with SCS	SB 469-Schatz
SB 325-Kraus	SB 475-Schatz
SBs 327, 238 & 360-Romine, with SCS	SB 485-Hoskins
SB 328-Romine, with SCS & SA 3 (pending)	SB 517-Wasson
SB 330-Munzlinger	SB 526-Brown
SB 331-Hegeman	SJR 9-Romine, with SCS
SB 333-Schaaf, with SCS	SJR 11-Hegeman, with SCS
SB 336-Wieland	SJR 12-Eigel
SB 348-Wasson, with SA 1 (pending)	SJR 17-Kraus
SB 349-Wasson	

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HCS for HBs 302 & 228, with SCS, SS for
HCS for HB 66, with SCS (Sater)	SCS & SA 5 (pending) (Schatz)
HB 85-Redmon, with SCS (Hegeman)	HB 336-Shull (Wieland)
HCS for HBs 91, 42, 131, 265 & 314	HCS for HBs 337, 259 & 575 (Schatz)
(Brown)	HCS for HB 427, with SCS (Kehoe)
HB 93-Lauer, with SCS (Wasson)	HCS for HB 451 (Wasson)
HB 95-McGaugh (Emery)	HCS for HB 460 (Munzlinger)
HB 104-Love (Brown)	HB 461-Kolkmeier (Munzlinger)
HCS for HB 115, with SCS (Wasson)	HB 462-Kolkmeier (Munzlinger)
HCS for HBs 190 & 208 (Eigel)	HB 655-Engler (Dixon)
HB 207-Fitzwater (Romine)	HCS for HBs 1194 & 1193 (Hegeman)
HB 251-Taylor, with SCS, SS for SCS,	HCB 3-Fitzpatrick, with SA 2 (pending)
SA 2 & SA 3 to SA 2 (pending) (Onder)	(Koenig)
HCS for HB 292, with SCS (Cunningham)	

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 62-Hegeman, with HCS,	SB 111-Hegeman, with HCS, as amended
as amended	SCS for SB 161-Sater, with HCS
SB 64-Schatz, with HA 1, HA 2 & HA 3	SB 411-Schatz, with HA 1, HA 2, HA 3,
SS for SCS for SB 66-Schatz, with HCS,	as amended, HA 4 & HA 5, as amended
as amended	

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2, with SCS, as amended (Brown)	HCS for HB 9, with SCS (Brown)
HCS for HB 3, with SCS (Brown)	HCS for HB 10, with SCS (Brown)
HCS for HB 4, with SCS (Brown)	HCS for HB 11, with SCS (Brown)
HCS for HB 5, with SCS (Brown)	HCS for HB 12, with SCS, as amended
HCS for HB 6, with SCS, as amended	(Brown)
(Brown)	HCS for HB 17, with SCS, as amended
HCS for HB 7, with SCS (Brown)	(Brown)
HCS for HB 8, with SCS (Brown)	HCS for HB 19, with SCS (Brown)

Requests to Recede or Grant Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
as amended, HA 4, HA 5, HA 6, HA 7,
HA 8, as amended & HA 9, as amended
(Senate requests House recede or
grant conference)

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate recede
or grant conference)

RESOLUTIONS

SR 197-Richard

Reported from Committee

SCR 6-Walsh
SCR 17-Curls
SCR 18-Wallingford
SCR 25-Cunningham, with SCS
SCR 26-Kehoe

HCR 6-Justus
HCR 28-Rowland (Rowden)
HCR 35-Hurst (Wallingford)
HCS for HCR 47 (Schatz)

To be Referred

SR 891-Romine

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-THIRD DAY—TUESDAY, MAY 2, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let your steadfast love, O Lord, be upon us, even as we hope in you.” Psalm 33:22)

Increase our hope, O Lord, giving us the hope which has seen things at their worst and yet refuses to despair. Give to us hope that is able to fail and yet is willing to try again. And again give us hope that can accept disappointment and yet not abandon hope. And we pray that we may keep the faith that we may walk in Your glory. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Kehoe—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 892, regarding Dennis Ford, Cosby, which was adopted.

Senator Romine offered Senate Resolution No. 893, regarding Judy Sieve, Lesterville, which was adopted.

Senator Hegeman offered Senate Resolution No. 894, regarding Chloe Haffarnan, Mount Pleasant, which was adopted.

Senator Walsh offered Senate Resolution No. 895, regarding Clarence J. Friedman, Florissant, which was adopted.

Senator Walsh offered Senate Resolution No. 896, regarding Aquera Love, Florissant, which was adopted.

Senator Schupp offered Senate Resolution No. 897, regarding Sarah Ayers, Ballwin, which was adopted.

INTRODUCTION OF GUESTS

Senator Cunningham introduced to the Senate, Joan Dietrich, Nicholas Busby, Thomas Mayhew, Chris Turnbull, Gwynivere Faye Stine, Jaden Lilly Barnes, Nellie Turnbull and Ethan Swank, JAG Club, West Plains High School.

Senator Wallingford introduced to the Senate, Todd Smith, Fredericktown.

Senator Chappelle-Nadal introduced to the Senate, Rebecca Margaret Bruce and Keir McIntosh, St. Louis.

Senator Hoskins introduced to the Senate, third and fourth grade students from Hardin-Central Elementary School.

Senator Rizzo introduced to the Senate, the Physician of the Day, Dr. Michael Monaco, Lee's Summit.

On motion of Senator Onder, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FOURTH DAY—WEDNESDAY, MAY 3, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HC B 10-Engler
HCS for HB 619
HCS for HB 162
HB 97-Swan
HCS for HB 293
HCS for HB 219
HCS for HB 324
HCS for HB 746

HCS for HB 194
HCS for HBs 960, 962 & 828
HCS for HB 670
HB 743-Conway
HB 824-Reiboldt
HCS for HB 384
HCS for HB 886
HCB 7-Fitzwater

HC B 1-McGaugh

HCS for HB 608

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|-----------------------------|
| 1. SB 495-Riddle, with SCS | 12. SB 380-Riddle |
| 2. SB 532-Hoskins | 13. SB 297-Hummel, with SCS |
| 3. SB 518-Emery | 14. SB 474-Schatz |
| 4. SB 341-Nasheed, with SCS | 15. SB 483-Holsman |
| 5. SJR 5-Emery, with SCS | 16. SB 498-Nasheed |
| 6. SB 305-Kehoe, et al | 17. SB 251-Kehoe, with SCS |
| 7. SB 535-Wallingford | 18. SB 528-Hegeman |
| 8. SB 523-Sater, with SCS | 19. SB 307-Munzlinger |
| 9. SB 480-Kraus | 20. SB 472-Hoskins |
| 10. SB 407-Riddle, with SCS | 21. SB 524-Koenig, with SCS |
| 11. SB 353-Wallingford, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HB 288-Fitzpatrick (Kehoe) | 23. HB 289-Fitzpatrick, with SCS (Rowden) |
| 2. HCS for HB 151 (Silvey) | 24. HB 493-Bondon, with SCS (Silvey) |
| 3. HB 850-Davis (Kraus) | 25. HB 52-Andrews (Hegeman) |
| 4. HCS for HB 452 (Rowden) | 26. HCS for HB 647, with SCS (Sater) |
| 5. HCS for HB 831, with SCS (Hummel) | 27. HCS for HB 353, with SCS (Sater) |
| 6. HCS for HB 381, with SCS (Hegeman) | 28. HCS for HB 54, with SCS (Emery) |
| 7. HB 58-Haefner (Onder) | 29. HB 355-Bahr (Eigel) |
| 8. HB 175-Reiboldt, with SCS (Munzlinger) | 30. HCS for HB 122, with SCS (Onder) |
| 9. HB 327-Morris (Curls) | 31. HCS for HB 230, with SCS (Koenig) |
| (In Fiscal Oversight) | 32. HB 700-Cookson, with SCS (Libla) |
| 10. HB 680-Fitzwater, with SCS (Wasson) | 33. HB 1045-Haahr (Wasson) |
| 11. HCS for HB 57-Haefner, with SCS | 34. HB 909-Fraker (Wasson) |
| (Libla) | 35. HCS for HB 631, with SCS (Emery) |
| 12. HCS for HB 422 (Dixon) | 36. HCS for HB 348 (Romine) |
| 13. HB 245-Rowland, with SCS (Cunningham) | 37. HJR 10-Brown (Romine) |
| 14. HB 262-Sommer (Hoskins) | 38. HCS#2 for HB 502 (Rowden) |
| 15. HCS for HB 270 (Rowden) | 39. HCS for HB 304, with SCS (Koenig) |
| 16. HCS for HB 661, with SCS (Emery) | 40. HB 871-Davis, with SCS (Kraus) |
| 17. HB 758-Cookson, with SCS (Romine) | 41. HB 843-McGaugh, with SCS (Hegeman) |
| 18. HCS for HB 138, with SCS (Onder) | 42. HB 200-Fraker, with SCS (Sater) |
| 19. HCS for HB 441 (Rowden) | 43. HCS for HB 703 (Hegeman) |
| 20. HCS for HB 253, with SCS (Romine) | 44. HB 956-Kidd, with SCS (Rizzo) |
| 21. HB 94-Lauer (Romine) | 45. HCS for HB 199, with SCS (Cunningham) |
| 22. HB 248-Fitzwater, with SCS | 46. HB 87-Henderson, with SCS (Romine) |
| (Cunningham) | 47. HB 587-Redmon, with SCS (Hegeman) |

- | | |
|--|--|
| 48. HCS for HB 258, with SCS (Munzlinger) | 65. HCS for HB 1158, with SCS (Riddle) |
| 49. HB 349-Brown, with SCS (Sater) | 66. HCS for HB 159 (Brown) |
| 50. HCS for HB 316, with SCS
(Wallingford) | 67. HB 598-Cornejo (Hegeman) |
| 51. HB 558-Ross, with SCS (Schatz) | 68. HB 469-Gannon, with SCS
(In Fiscal Oversight) |
| 52. HB 586-Rhoads (Rowden) | 69. HCS for HB 935, with SCS
(In Fiscal Oversight) |
| 53. HB 256-Rhoads, with SCS (Munzlinger) | 70. HB 193-Kelley |
| 54. HCS for HB 645 (Sater) | 71. HB 281-Rowland (Sater) |
| 55. HCS for HB 183 (Nasheed) | 72. HB 568-Tate, with SCS (Schatz) |
| 56. HCS for HB 542 (Schatz) | 73. HCS for HB 741, with SCS |
| 57. HB 61-Alferman (Schatz) | 74. HB 815-Basye, with SCS (Riddle)
(In Fiscal Oversight) |
| 58. HB 128, HB 678, HB 701 &
HB 964-Davis, with SCS (Richard) | 75. HB 557-Ross |
| 59. HB 811-Ruth (Wieland) | 76. HCS for HB 694 (Cunningham)
(In Fiscal Oversight) |
| 60. HB 805-Basye (Rowden) | 77. HCS for HB 225 (Munzlinger) |
| 61. HB 664-Korman (Riddle) | 78. HCS for HB 181 (Sater) |
| 62. HB 105-Love (Kraus) | 79. HB 697-Trent (Rowden) |
| 63. HB 849-Pfautsch (Kraus) | |
| 64. HCS for HB 260, with SCS (Sater) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|-----------------------------------|
| SB 5-Richard | SB 83-Dixon |
| SB 6-Richard, with SCS | SB 85-Kraus, with SCS |
| SB 13-Dixon | SB 96-Sater and Emery |
| SB 20-Brown | SB 97-Sater, with SCS |
| SB 21-Brown | SB 102-Cunningham, with SCS |
| SB 28-Sater, with SCS (pending) | SB 103-Wallingford |
| SB 32-Emery, with SCS | SB 109-Holsman, with SCS |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | SB 115-Schupp, with SCS |
| SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending) | SB 117-Schupp, with SCS |
| SBs 44 & 63-Romine, with SCS | SB 122-Munzlinger, with SCS |
| SB 46-Libla, with SCS | SB 123-Munzlinger |
| SB 61-Hegeman, with SCS | SB 126-Wasson |
| SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending) | SB 129-Dixon and Sifton, with SCS |
| SB 68-Onder and Nasheed | SB 130-Kraus, with SCS |
| SB 76-Munzlinger | SB 133-Chappelle-Nadal |
| SB 80-Wasson, with SCS | SB 138-Sater |
| SB 81-Dixon | SB 141-Emery |
| | SB 142-Emery |
| | SB 144-Wallingford |
| | SB 145-Wallingford, with SCS |

SB 147-Romine	SB 260-Munzlinger
SB 156-Munzlinger, with SCS	SB 261-Munzlinger
SB 157-Dixon, with SCS	SB 262-Munzlinger
SB 158-Dixon	SB 263-Riddle
SB 163-Romine	SB 264-Dixon
SB 169-Dixon, with SCS	SB 267-Schatz, with SCS
SB 171-Dixon and Sifton, with SCS	SB 271-Wasson and Richard, with SCS
SB 176-Dixon	SB 280-Hoskins, with SCS
SB 177-Dixon, with SCS	SB 284-Hegeman, with SCS
SB 178-Dixon	SBs 285 & 17-Koenig, with SCS
SB 180-Nasheed, with SCS	SB 286-Rizzo
SB 183-Hoskins, with SCS	SB 290-Schatz, with SCS
SB 184-Emery, with SS (pending)	SB 295-Schaaf, with SCS
SB 185-Onder, et al, with SCS	SB 298-Curls
SB 188-Munzlinger, with SCS	SB 303-Wieland, with SCS
SB 189-Kehoe, with SCS	SB 311-Wasson, with SCS
SB 190-Emery, with SCS & SS#2 for SCS (pending)	SBs 314 & 340-Schatz, et al, with SCS
SB 196-Koenig	SB 316-Rowden, with SCS
SB 199-Wasson	SB 325-Kraus
SB 200-Libla	SBs 327, 238 & 360-Romine, with SCS
SB 201-Onder, with SCS	SB 328-Romine, with SCS & SA 3 (pending)
SB 203-Sifton, with SCS	SB 330-Munzlinger
SB 207-Sifton	SB 331-Hegeman
SB 209-Wallingford	SB 333-Schaaf, with SCS
SB 210-Onder, with SCS	SB 336-Wieland
SB 220-Riddle, with SCS & SS for SCS (pending)	SB 348-Wasson, with SA 1 (pending)
SB 221-Riddle	SB 349-Wasson
SB 223-Schatz, with SCS	SB 358-Wieland
SB 227-Koenig, with SCS	SB 362-Hummel
SB 228-Koenig, with SS & SA 1 (pending)	SB 368-Rowden
SB 230-Riddle	SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)
SB 232-Schatz	SB 378-Wallingford
SB 233-Wallingford	SB 379-Schatz
SB 234-Libla, with SCS	SB 381-Riddle
SB 239-Rowden, with SCS	SB 383-Eigel and Wieland
SB 242-Emery, with SCS	SB 384-Rowden, with SCS
SB 243-Hegeman	SB 389-Sater, with SCS
SB 247-Kraus, with SCS	SB 391-Munzlinger
SB 250-Kehoe	SB 392-Holsman
SB 252-Dixon, with SCS	SB 406-Wasson and Sater
SB 258-Munzlinger	SB 409-Koenig
SB 259-Munzlinger	SB 410-Schatz
	SB 413-Munzlinger

SB 418-Hegeman, with SCS
 SB 419-Riddle
 SB 422-Cunningham, with SCS
 SB 426-Wasson, with SCS
 SB 427-Wasson
 SB 430-Cunningham, with SCS
 SB 433-Sater, with SCS
 SB 435-Cunningham, with SCS
 SB 442-Hegeman
 SB 445-Rowden
 SB 448-Emery

SB 451-Nasheed, with SS (pending)
 SB 468-Hegeman
 SB 469-Schatz
 SB 475-Schatz
 SB 485-Hoskins
 SB 517-Wasson
 SB 526-Brown
 SJR 9-Romine, with SCS
 SJR 11-Hegeman, with SCS
 SJR 12-Eigel
 SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)
 HCS for HB 66, with SCS (Sater)
 HB 85-Redmon, with SCS (Hegeman)
 HCS for HBs 91, 42, 131, 265 & 314
 (Brown)
 HB 93-Lauer, with SCS (Wasson)
 HB 95-McGaugh (Emery)
 HB 104-Love (Brown)
 HCS for HB 115, with SCS (Wasson)
 HCS for HBs 190 & 208 (Eigel)
 HB 207-Fitzwater (Romine)
 HB 251-Taylor, with SCS, SS for SCS,
 SA 2 & SA 3 to SA 2 (pending) (Onder)
 HCS for HB 292, with SCS (Cunningham)

HCS for HBs 302 & 228, with SCS, SS for
 SCS & SA 5 (pending) (Schatz)
 HB 336-Shull (Wieland)
 HCS for HBs 337, 259 & 575 (Schatz)
 HCS for HB 427, with SCS (Kehoe)
 HCS for HB 451 (Wasson)
 HCS for HB 460 (Munzlinger)
 HB 461-Kolkmeier (Munzlinger)
 HB 462-Kolkmeier (Munzlinger)
 HB 655-Engler (Dixon)
 HCS for HBs 1194 & 1193 (Hegeman)
 HCB 3-Fitzpatrick, with SA 2 (pending)
 (Koenig)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 62-Hegeman, with HCS,
 as amended
 SB 64-Schatz, with HA 1, HA 2 & HA 3
 SS for SCS for SB 66-Schatz, with HCS,
 as amended

SB 111-Hegeman, with HCS, as amended
 SCS for SB 161-Sater, with HCS
 SB 411-Schatz, with HA 1, HA 2, HA 3,
 as amended, HA 4 & HA 5, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2, with SCS, as amended
 (Brown)

HCS for HB 3, with SCS (Brown)
 HCS for HB 4, with SCS (Brown)

HCS for HB 5, with SCS (Brown)
HCS for HB 6, with SCS, as amended
(Brown)
HCS for HB 7, with SCS (Brown)
HCS for HB 8, with SCS (Brown)
HCS for HB 9, with SCS (Brown)
HCS for HB 10, with SCS (Brown)

HCS for HB 11, with SCS (Brown)
HCS for HB 12, with SCS, as amended
(Brown)
HCS for HB 17, with SCS, as amended
(Brown)
HCS for HB 19, with SCS (Brown)

Requests to Recede or Grant Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
as amended, HA 4, HA 5, HA 6, HA 7,
HA 8, as amended & HA 9, as amended
(Senate requests House recede or
grant conference)

HCS for HBs 90 & 68, with SS, as amended
(Schatz)
(House requests Senate recede or grant
conference)

RESOLUTIONS

SR 197-Richard

SR 891-Romine

Reported from Committee

SCR 6-Walsh
SCR 17-Curls
SCR 18-Wallingford
SCR 25-Cunningham, with SCS
SCR 26-Kehoe

HCR 6-Justus
HCR 28-Rowland (Rowden)
HCR 35-Hurst (Wallingford)
HCS for HCR 47 (Schatz)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FOURTH DAY—WEDNESDAY, MAY 3, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Do not fear the reproach of others, and do not be dismayed when they revile you.” (Isaiah 51:7)

Dear Lord: We often encounter so many who think they know better than we do and when we don’t agree with them they can be difficult and nasty to deal with, but we pray, that drawing from Your strength and wisdom, we will do and say the things that must be done and said. So encourage us in our serving and help us be faithful and unafraid as we go about what we have been called by You to do. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 898, regarding Mark D. Foster, Festus, which was adopted.

Senator Romine offered Senate Resolution No. 899, regarding Gail Heckenberg, Pevely, which was adopted.

Senator Romine offered Senate Resolution No. 900, regarding Tina Howe, Bloomsdale, which was adopted.

Senator Walsh offered Senate Resolution No. 901, regarding Colonel James J. Groark, O'Fallon, which was adopted.

Senator Nasheed offered Senate Resolution No. 902, regarding Janice Watlington, which was adopted.

Senator Sifton offered Senate Resolution No. 903, regarding Kenneth F. "Ken" Hanneken, Saint Louis, which was adopted.

Senator Munzlinger offered Senate Resolution No. 904, regarding Kayla Ann Noyes, Macon, which was adopted.

Senator Walsh offered Senate Resolution No. 905, regarding Jacob S. Brooke, St. Joseph, which was adopted.

Senator Walsh offered Senate Resolution No. 906, regarding Samantha L. Groark, O'Fallon, which was adopted.

Senator Kehoe offered Senate Resolution No. 907, regarding Dana J. Bolin, M.Ed, LPC, NCC, Cole County, which was adopted.

Senator Kehoe offered Senate Resolution No. 908, regarding Jennifer Czarlinsky Milne, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 909, regarding the Missouri Academy of Family Physicians, which was adopted.

Senator Kehoe offered Senate Resolution No. 910, regarding Eagle Scout Samuel James Gooch, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 911, regarding William A. "Bill" Gamble, Jefferson City, which was adopted.

Senator Kehoe offered Senate Resolution No. 912, regarding Corrections Officer I James Durham, Versailles, which was adopted.

Senator Kehoe offered Senate Resolution No. 913, regarding Visitation of the Blessed Virgin Mary Catholic Church, Vienna, which was adopted.

Senator Schupp offered Senate Resolution No. 914, regarding Robert Jerome "Bob" Bodine, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 915, regarding Richard Craig "Dick" Klohr, Manchester, which was adopted.

Senator Wallingford offered Senate Resolution No. 916, regarding Ethan G. Scherer, Sikeston, which was adopted.

Senator Silvey offered the following resolution:

SENATE RESOLUTION NO. 917

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Seventeenth District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, First Regular Session, that Senate Rule 10 be amended to read as follows:

“Rule 10. The [president pro tem] lieutenant governor shall be parliamentarian of the senate and may decide all points of order, and in his absence such points of order may be decided by the chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, except in either case, the point of order may be referred by the then acting parliamentarian, to the Committee on Parliamentary Procedure for consideration and determination. All rulings on points of order shall be subject to an appeal to the senate and all questions and points of order shall be noted by the secretary with the decision thereon. (See also Rule 27.)”

Senator Riddle offered Senate Resolution No. 918, regarding Corrections Supervisor I Rickie Painter, Laddonia, which was adopted.

Senator Riddle offered Senate Resolution No. 919, regarding Register Nurse Pamela Brundage, Jonesburg, which was adopted.

Senator Riddle offered Senate Resolution No. 920, regarding Corrections Officer I Donald Lindsey, Troy, which was adopted.

Senator Riddle offered Senate Resolution No. 921, regarding Corrections Officer II Loren Bateman, Troy, which was adopted.

CONCURRENT RESOLUTIONS

Senator Wallingford moved that **HCR 35** be taken up for adoption, which motion prevailed.

On motion of Senator Wallingford, **HCR 35** was adopted by the following vote:

YEAS—Senators

Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators

Brown Richard—2

Absent with leave—Senators—None

Vacancies—1

Senator Kehoe requested unanimous consent of the Senate to go to the Order of Business of Messages

from the House.

Senator Silvey raised the point of order that pursuant to Senate Rule 3, orders of business must be taken up in order.

The point of order was referred to the President Pro Tem.

At the request of Senator Kehoe, the motion to go to the order of business of Messages from the House was withdrawn, rendering the point of order moot.

Senator Kehoe requested unanimous consent of the Senate to go the Order of Business of Senate Bills for Perfection.

Senator Silvey rose to object.

On motion of Senator Kehoe, the Senate recessed until 3:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 17**, as amended. Representatives: Fitzpatrick, Alferman, Bahr, Kendrick, Butler.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS** for **HCS** for **HB 19**. Representatives: Fitzpatrick, Alferman, Bahr, Butler, McGee.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 486**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 380**, entitled:

An Act to repeal sections 479.020, 479.353, and 488.2250, RSMo, and to enact in lieu thereof six new sections relating to judicial proceedings.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 50**.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5, as amended, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 8, House Amendment No. 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10, as amended, House Amendment No. 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12, as amended, House Amendment No. 13, House Amendment No. 14 and House Amendment No. 15.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 50, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“191.1100. 1. Sections 191.1100 to [191.1112] **191.1116** shall be known and may be cited as the “Volunteer Health Services Act”.

2. As used in [sections 191.1100 to 191.1112] **the volunteer health services act**, the following terms shall mean:

(1) “Gross deviation”, a conscious disregard of the safety of others;

(2) “Health care provider”, any physician, surgeon, dentist, nurse, optometrist, mental health professional licensed under chapter 337, veterinarian, or other practitioner of a health care discipline, the professional practice of which requires licensure or certification under state law or under comparable laws of another state, territory, district, or possession of the United States;

(3) “Licensed health care provider”, any health care provider holding a current license or certificate issued under:

(a) Missouri state law;

(b) Comparable laws of another state, territory, district, or possession of the United States;

(4) “Regularly practice”, to practice more than sixty days within any ninety-day period;

(5) “Sponsoring organization”, any organization that organizes or arranges for the voluntary provision of health care services and registers with the department of health and senior services as a sponsoring organization in accordance with section 191.1106;

(6) “Voluntary provision of health care services”, the providing of professional health care services by a health care provider without charge to a recipient of the services or a third party. The provision of such health care services under sections 191.1100 to 191.1112 shall be the provider’s professional practice area in which the provider is licensed or certified.

191.1110. 1. (1) No licensed health care provider **working on behalf of a sponsoring organization or registered with the appropriate licensing body pursuant to section 191.1114** who engages in the voluntary provision of health care services within the limits of the person’s license, certificate, or authorization to [any] a patient [of a sponsoring organization] shall be liable for any civil damages for any act or omission resulting from the rendering of such services, unless the act or omission was the result of such person’s gross deviation from the ordinary standard of care or willful misconduct.

(2) The volunteer licensee who is providing free care shall not receive compensation of any type,

directly or indirectly, or any benefits of any type whatsoever, or any consideration of any nature, from any person for the free care. Nor shall such service be a part of the provider's training or assignment.

(3) The volunteer licensee shall be acting within the scope of such license, certification, or authority.

(4) A health care licensee providing free health care shall not engage in activities at a clinic, or at the health care licensee's office, if the activities are performed on behalf of the sponsoring organization, unless such activities are authorized by the appropriate authorities to be performed at the clinic or office and the clinic or office is in compliance with all applicable regulations.

2. For purposes of this section, any commissioned or contract medical officer or dentist serving on active duty in the United States Armed Forces and assigned to duty as a practicing, commissioned, or contract medical officer or dentist at any military hospital or medical facility owned and operated by the United States government shall be deemed to be licensed.

191.1114. 1. To qualify for liability protection under subdivision (1) of subsection 1 of section 191.1110, a health care provider who provides volunteer health care services without working on behalf of a sponsoring organization shall register with the appropriate licensing body before providing such services by submitting a registration fee of fifty dollars and filing a registration form. The registration and fee shall be submitted annually to the appropriate licensing body with the fee to be used for the administration of sections 191.1100 to 191.1116. Such registration form shall contain:

(1) The name of the health care provider;

(2) The address, including street, city, zip code, and county, of the health care provider's principal office address;

(3) Telephone numbers for the principal office listed under subdivision (2) of this subsection; and

(4) Such additional information as the appropriate licensing body shall require.

Upon any change in the information required under this subsection, the health care provider shall notify the appropriate licensing body in writing of such change within thirty days of its occurrence.

2. The health care provider shall maintain on file for five years following the date of service the date, place, and type of services provided and shall furnish such records upon request to any regulatory board of any healing arts profession established under state law.

3. Adverse incidents and information on treatment outcomes shall be reported by any provider to the appropriate licensing body if the incidents and information pertain to a patient treated under the volunteer health services act. The appropriate licensing body shall review the incident to determine whether it involves conduct by the licensee that is subject to disciplinary action. All patient medical records and any identifying information contained in adverse incident reports and treatment outcomes which are obtained by governmental entities or licensing bodies under this subsection are confidential.

4. The appropriate licensing body may revoke the registration of any health care provider that fails to comply with the requirements of this section.

5. Nothing in the volunteer health services act shall prohibit a health care provider from providing health care services without charge or shall require a health care provider to register with an

appropriate licensing body. However, a health care provider who does not register or who does not work on behalf of a sponsoring organization shall not be entitled to liability protection under subdivision (1) subsection 1 of section 191.1110 or to continuing education credits under section 191.1116.

191.1116. For every hour of volunteer service performed by a health care provider, the appropriate licensing body shall credit such health care professional one hour of continuing education credit, up to a maximum of eight credit hours per licensure period. The health care provider shall submit to the appropriate licensing body a voluntary services report that lists the dates of voluntary service provided, the type of service provided, and the amount of time spent with each patient.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 50, Page 3, Section 194.600, Line 60, by inserting after all of said section and line the following:

“404.1100. 1. Sections 404.1100 to 404.1110 shall be known and may be cited as the “Designated Health Care Decision-Maker Act”.

2. The provisions of sections 404.1100 to 404.1110 shall not be applicable to situations in which a patient has capacity to make health care decisions, a guardian with medical decision-making authority is appointed under chapter 475, an attorney-in-fact is appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, or if the patient is under jurisdiction of the juvenile court.

404.1101. As used in sections 404.1100 to 404.1110, the following terms mean:

(1) “Adult”, a person eighteen years of age or older;

(2) “Artificially supplied nutrition and hydration”, any medical procedure whereby nutrition or hydration is supplied through a tube inserted into a person’s nose, mouth, stomach, or intestines, or nutrients or fluids are administered into a person’s bloodstream or provided subcutaneously;

(3) “Best interests”:

(a) Promoting the incapacitated person’s right to enjoy the highest attainable standard of health for that person;

(b) Advocating that the person who is incapacitated receive the same range, quality, and standard of health care, care, and comfort as is provided to a similarly situated individual who is not incapacitated; and

(c) Advocating against the discriminatory denial of health care, care, or comfort, or food or fluids on the basis that the person who is incapacitated is considered an individual with a disability;

(4) “Designated health care decision-maker”, the person designated to make health care decisions for a patient under section 404.1104;

(5) “Disability” or “disabled” shall have the same meaning as defined in 42 U.S.C. Section 12102, the Americans with Disabilities Act of 1990, as amended; provided that, the term “this chapter” in that definition shall be deemed to refer to the Missouri health care decision-maker act;

(6) “Health care”, services to diagnose or treat a human disease, ailment, defect, abnormality, or

complaint, whether of physical or mental origin, and includes making arrangements for placement in or transfer to or from a health care facility or health care provider that provides such forms of care;

(7) “Health care facility”, any hospital, hospice, inpatient facility, nursing facility, skilled nursing facility, residential care facility, intermediate care facility, dialysis treatment facility, assisted living facility, home health or hospice agency; any entity that provides home or community-based health care services; or any other facility that provides or contracts to provide health care, and which is licensed, certified, or otherwise authorized or permitted by law to provide health care;

(8) “Health care provider”, any individual who provides health care to persons and who is licensed, certified, registered, or otherwise authorized or permitted by law to provide health care;

(9) “Incapacitated”, as such term is defined and determined by sections 404.800 to 404.865;

(10) “Patient”, any adult who:

(a) Is authorized to make health care decisions for himself or herself under Missouri law but is incapacitated; and

(b) Does not have anyone with legal authority to make health care decisions for such person including, but not limited to, a guardian with medical decision-making authority appointed under chapter 475, or an attorney-in-fact appointed in a durable power of attorney for health care in accordance with sections 404.800 to 404.865, or persons under the jurisdiction of the juvenile court;

(11) “Patient with capacity”, a patient who is determined to no longer be incapacitated under section 404.1106;

(12) “Physician”, a treating, attending, or consulting physician licensed to practice medicine under Missouri law;

(13) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician knowledgeable about the case and the health care possibilities with respect to the medical conditions involved.

404.1103. The physician or another health care provider acting at the direction of the physician shall make reasonable efforts to inform potential designated health care decision-makers set forth under section 404.1104 of whom the physician or physician’s designee is aware of the need to appoint a designated health care decision-maker for the patient.

404.1104. 1. Decisions concerning the patient’s health care may be made by the following persons with capacity in the following order of priority, with the exception of persons excluded under subsection 5 of this section:

(1) The spouse of the patient, unless the spouse and patient are separated under one of the following:

(a) A current dissolution of marriage or separation action;

(b) A signed written property or marital settlement agreement; or

(c) A permanent order of separate maintenance or support or a permanent order approving a property or marital settlement agreement between the parties;

(2) An adult child of the patient;

(3) A parent of the patient;

(4) An adult sibling of the patient;

(5) Grandparent or adult grandchild of the patient;

(6) Any other adult relative or nonrelative who can demonstrate that he or she has a close personal relationship with the patient and is familiar with the patient's personal values;

(7) A person who is a member of the same community of persons as the patient who is bound by vows to a religious life and who conducts or assists in the conducting of religious services and actually and regularly engages in religious, benevolent, charitable, or educational ministry, or performance of health care services; or

(8) Any other person designated by the unanimous mutual agreement of the persons listed above who is involved in the patient's care.

2. Reasonable efforts include, without limitation, identifying potential designated health care decision-makers as set forth under this section by examining the patient's personal effects and medical records. If a person with potential health care decision-making authority is identified, attempts to contact that person shall be made within a reasonable time consistent with the patient's medical needs after a determination of incapacity. Contact attempts, including name of the person and known telephone numbers and other contact information, shall be documented in the patient's medical record. The health care facility or health care provider shall look to the health care decision-maker highest in priority who is available and willing to act at the time a health care decision shall be made for the patient.

3. Any person or entity interested in the welfare of the patient, including a health care provider or health care facility, who disagrees on whether certain health care should be provided to or withheld or withdrawn from a patient may petition the probate court for an order for the appointment of a temporary or permanent guardian in accordance with chapter 475 to act in the best interests of the patient.

4. A person who is a member of the classes listed under subsection 1 of this section shall not be denied priority under this section based solely upon that person's support for, or direction to provide, withhold or withdraw health care to the patient, subject to the rights of other classes of potential designated decision-makers, a health care provider, or health care facility to petition the probate court for an order for the appointment of a temporary or permanent guardian under chapter 475 to act in the best interests of the patient.

5. Notwithstanding the provisions of subsection 1 of this section, priority under this section shall not be given to persons in any of the following circumstances:

(1) If a health care provider knows the person has been reported under any mandatory reporting statute for abuse or neglect of the patient including, but not limited to, section 192.2475, 198.070, 208.912, 210.115, 565.188, 630.162, or 630.165 or any other mandatory reporting statute and a finding of abuse or neglect has been substantiated. If the health care provider is aware of a report where a finding has not yet been made, such person shall not be given priority until the investigating agency either makes a finding that the allegations are unsubstantiated or, after investigation, closes the case without making a finding; provided that, such a report shall not be based on the person's support for,

or direction to provide, health care to the patient;

(2) If the health care provider determines, after making a reasonable effort to contact the designated health care decision-maker using known telephone numbers and other contact information and receiving no response, that such person is unable to be found, not reasonably available, or is unwilling to make health care decisions as needed for the patient;

(3) If a probate court in a proceeding under chapter 475 finds that the involvement of the person in decisions concerning the patient's health care is contrary to instructions that the patient had unambiguously, and without subsequent contradiction or change, expressed before he or she became incapacitated. Such a statement to the patient's physician or other health care provider contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider shall be deemed such an instruction, subject to the ability of a party to a proceeding under chapter 475 to dispute its accuracy, weight, or interpretation; or

(4) If the person is the subject of a protective order or other court order that directs that person to avoid contact with the patient or if such person has been found guilty of abuse under section 565.180, 565.182, or 565.184.

6. (1) The designated health care decision-maker shall make reasonable efforts to obtain information regarding the patient's health care preferences from health care providers, family, friends, or others who may have credible information.

(2) The designated health care decision-maker shall make health care decisions in the patient's best interests, taking into consideration evidence of the patient's known health care preferences and religious and moral beliefs.

7. This section does not authorize the provision or withholding of health care services that the patient has unambiguously at a time when the patient had capacity, without subsequent contradiction or change of instruction of what he or she would or would not want, expressed either in a valid living will created under sections 459.010 to 459.055 or to the patient's physician or other health care provider. Such a statement to the patient's physician or other health care provider, contemporaneously recorded in the patient's medical record and signed by the patient's physician or other health care provider, shall be deemed such evidence, subject to the ability of a party to a proceeding under chapter 475 to dispute its accuracy, weight, or interpretation.

8. A designated health care decision-maker shall be deemed a personal representative for the purposes of access to and disclosure of private medical information under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 42 U.S.C. Section 1320d and 45 CFR 160-164.

9. Nothing under sections 404.1100 to 404.1110 shall preclude any person interested in the welfare of a patient including, but not limited to, a designated health care decision-maker, a member of the classes listed under this section regardless of priority, or a health care provider or health care facility involved in the care of the patient, from petitioning the probate court for the appointment of a temporary or permanent guardian for the patient, including expedited adjudication under chapter 475.

10. Pending the final outcome of proceedings initiated under chapter 475, the designated health care decision-maker, health care provider, or health care facility shall not withhold or withdraw or direct the withholding or withdrawal of health care, nutrition, or hydration if withholding or

withdrawal, in reasonable medical judgment, would result in or hasten the death of the patient, would jeopardize the health or limb of the patient, or would result in disfigurement or impairment of the patient's faculties. If a health care provider or a health care facility objects to the provision of such health care, nutrition, or hydration on the basis of religious beliefs or sincerely held moral convictions, the provider or facility shall not impede the transfer of the patient to another health care provider or health care facility willing to provide it and shall provide such health care, nutrition, or hydration to the patient pending the completion of the transfer. For purposes of this section, artificially supplied nutrition and hydration may be withheld or withdrawn during the pendency of the guardianship proceeding only if, based on reasonable medical judgment, the patient's physician and a second licensed physician certify that the patient meets the standard set forth under subdivision (2) of subsection 1 of section 404.1105. If tolerated by the patient and adequate to supply the patient's needs for nutrition or hydration, natural feeding should be the preferred method.

404.1105. 1. No designated health care decision-maker may, with the intent of hastening or causing the death of the patient, authorize the withdrawal or withholding of nutrition or hydration supplied through either natural or artificial means. A designated health care decision-maker may authorize the withdrawal or withholding of artificially supplied nutrition and hydration only if the physician and a second licensed physician certify in the patient's medical record, based on reasonable medical judgment, that:

(1) Artificially supplied nutrition or hydration is not necessary for comfort care or the relief of pain and would serve only to prolong artificially the dying process and when death will occur within a short period of time regardless of whether such artificially supplied nutrition or hydration is withheld or withdrawn; or

(2) Artificially supplied nutrition or hydration cannot be physiologically assimilated or tolerated by the patient.

2. When tolerated by the patient and adequate to supply the patient's need for nutrition or hydration, natural feeding should be the preferred method.

404.1106. If any of the individuals specified under section 404.1104 or the designated health care decision-maker or physician believes the patient is no longer incapacitated, the patient's physician shall reexamine the patient and determine in accordance with reasonable medical judgment whether the patient is no longer incapacitated, shall certify the decision and the basis therefor in the patient's medical record, and shall notify the patient with capacity, the designated health care decision-maker, and the person who initiated the redetermination of capacity. Rights of the designated health care decision-maker shall end upon the physician's certification that the patient is no longer incapacitated.

404.1107. 1. No health care provider or health care facility that in good faith makes reasonable efforts to identify, locate, and communicate with potential designated health care decision-makers in accordance with sections 404.1100 to 404.1110 shall be subject to civil or criminal liability or regulatory sanction for the effort to identify, locate, and communicate with such potential designated health care decision-makers.

2. No health care provider or health care facility or employee thereof that makes good faith efforts to comply with the provisions in sections 404.1101 to 404.1110 and acts upon decisions, which are not otherwise unlawful, made by a health care decision-maker shall, as a result thereof, be subject to criminal or civil liability or regulatory sanction.

3. No health care decision-maker acting in accordance with sections 404.1101 to 404.1110 who in good faith makes decisions that are not otherwise unlawful shall not, as a result thereof, be subject to criminal or civil liability.

404.1108. 1. A health care provider or a health care facility may decline to comply with the health care decision of a patient or a designated health care decision-maker if such decision is contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility.

2. If at any time a health care facility or health care provider determines that any known or anticipated health care preferences expressed by the patient to the health care provider or health care facility, or as expressed through the patient's designated health care decision-maker, are contrary to the religious beliefs or sincerely held moral convictions of the health care provider or health care facility, such provider or facility shall promptly inform the patient or the patient's designated health care decision-maker.

3. If a health care provider declines to comply with such health care decision, no health care provider or health care facility shall impede the transfer of the patient to another health care provider or health care facility willing to comply with the health care decision.

4. Nothing in this section shall relieve or exonerate a health care provider or a health care facility from the duty to provide for the health care, care, and comfort of a patient pending transfer under this section. If withholding or withdrawing certain health care would, in reasonable medical judgment, result in or hasten the death of the patient, such health care shall be provided pending completion of the transfer. Notwithstanding any other provision of this section, no such health care shall be denied on the basis of a view that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill, or on the basis of the health care provider's or facility's disagreement with how the patient or individual authorized to act on the patient's behalf values the tradeoff between extending the length of the patient's life and the risk of disability.

404.1109. No health care decision-maker shall withhold or withdraw health care from a pregnant patient, consistent with existing law, as set forth under section 459.025.

404.1110. Nothing under sections 404.1100 to 404.1110 is intended to:

(1) Be construed as condoning, authorizing, or approving euthanasia or mercy killing; or

(2) Be construed as permitting any affirmative or deliberate act to end a person's life, except to permit natural death as provided by sections 404.1100 to 404.1110.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 50, Page 3, Section 194.600, Line 60, by inserting after all of said section and line the following:

“197.005. 1. As used in this section, the term “Medicare conditions of participation” shall mean federal regulatory standards established under Title XVIII of the Social Security Act and defined in 42 CFR Part 482, as amended, for hospitals and 42 CFR Part 485, as amended, for hospitals designated as critical access hospitals under 42 U.S.C. Section 1395i-4.

2. To minimize the administrative cost of enforcing and complying with duplicative regulatory standards, on and after July 1, 2018, compliance with Medicare conditions of participation shall be deemed to constitute compliance with the standards for hospital licensure under sections 197.010 to 197.120 and regulations promulgated thereunder.

3. Nothing in this section shall preclude the department from promulgating regulations effective on or after July 1, 2018, to define separate regulatory standards that do not duplicate or contradict the Medicare conditions of participation, with specific state statutory authorization to create separate regulatory standards.

4. Regulations promulgated by the department to establish and enforce hospital licensure regulations under this chapter that duplicate or conflict with the Medicare conditions of participation shall lapse and expire on and after July 1, 2018.

197.040. After ninety days from the date this law becomes effective, no person or governmental unit, acting severally or jointly with any other person or governmental unit, shall establish, conduct or maintain a hospital in this state without a license under this law **and section 197.005** issued by the department of health and senior services.

197.050. Application for a license shall be made to the department of health and senior services upon forms provided by it and shall contain such information as the department of health and senior services requires, which may include affirmative evidence of ability to comply with such reasonable standards, rules and regulations as are lawfully prescribed hereunder **in compliance with section 197.005**. Until June 30, 1989, each application for a license, except applications from governmental units, shall be accompanied by an annual license fee of two hundred dollars plus two dollars per bed for the first one hundred beds and one dollar per bed for each additional bed. Beginning July 1, 1989, each application for a license, except applications from governmental units, shall be accompanied by an annual license fee of two hundred fifty dollars plus three dollars per bed for the first four hundred beds and two dollars per bed for each additional bed. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

197.070. The department of health and senior services may deny, suspend or revoke a license in any case in which it finds that there has been a substantial failure to comply with the requirements established under this law **and section 197.005**.

197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections [197.010] **197.005** to 197.120, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section 621.045, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

197.080. 1. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section, **section 197.005**, and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to

197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

2. The department shall review and revise regulations governing hospital licensure and enforcement to promote hospital and regulatory efficiencies [and]. **The department shall** eliminate **all** duplicative regulations and inspections by or on behalf of state agencies and the Centers for Medicare and Medicaid Services (CMS). The hospital licensure regulations adopted under this [section] **chapter** shall incorporate standards which shall include, but not be limited to, the following:

(1) Each citation or finding of a regulatory deficiency shall refer to the specific written regulation, any state associated written interpretive guidance developed by the department and any publicly available, professionally recognized standards of care that are the basis of the citation or finding;

(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the CMS Conditions of Participation (COP) and associated interpretive guidance. However, this shall not preclude the department from enforcing standards produced by the department which exceed the federal CMS' COP and associated interpretive guidance, so long as such standards produced by the department promote a higher degree of patient safety and do not contradict the federal CMS' COP and associated interpretive guidance;

(3) The department shall establish and publish guidelines for complaint investigation, including but not limited to:

(a) The department's process for reviewing and determining which complaints warrant an on-site investigation based on a preliminary review of available information from the complainant, other appropriate sources, and when not prohibited by CMS, the hospital. For purposes of providing hospitals with information necessary to improve processes and patient care, the number and nature of complaints filed and the recommended actions by the department and, as appropriate CMS, shall be disclosed upon request to hospitals so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;

(b) A departmental investigation of a complaint shall be focused on the specific regulatory standard and departmental written interpretive guidance and publicly available professionally recognized standard of care related to the complaint. During the course of any complaint investigation, the department shall cite any serious and immediate threat discovered that may potentially jeopardize the health and safety of patients;

(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding the complaint, the number of investigators and days of investigation resulting from each complaint;

(4) Hospitals and hospital personnel shall have the opportunity to participate in annual continuing training sessions when such training is provided to state licensure surveyors with prior approval from the department director and CMS when appropriate. Hospitals and hospital personnel shall assume all costs associated with facilitating the training sessions and use of curriculum materials, including but not limited to the location for training, food, and printing costs;

(5) Time lines for the department to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations shall be identical to, to the extent practicable, the time lines established for the federal hospital certification and enforcement system in the CMS State Operations Manual, as amended. These time lines shall be the guide

for the department to follow. Every reasonable attempt shall be made to meet the time lines. However, failure to meet the established time lines shall in no way prevent the department from performing any necessary inspections to ensure the health and safety of patients.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

197.100. 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to, all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall annually inspect each licensed hospital and shall make any other inspections and investigations as it deems necessary for good cause shown. The department of health and senior services shall accept reports of hospital inspections from **or on behalf of** governmental agencies, the joint commission, and the American Osteopathic Association Healthcare Facilities Accreditation Program, provided the accreditation inspection was conducted within one year of the date of license renewal. Prior to granting acceptance of any other accrediting organization reports in lieu of the required licensure survey, the accrediting organization's survey process must be deemed appropriate and found to be comparable to the department's licensure survey. It shall be the accrediting organization's responsibility to provide the department any and all information necessary to determine if the accrediting organization's survey process is comparable and fully meets the intent of the licensure regulations. The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety-related matters so long as any new standards shall apply only to new construction.

Section B. The enactment of section 197.005 and the repeal and reenactment of sections 197.040, 197.050, 197.070, 197.071, 197.080, and 197.100 of section A of this act shall become effective on July 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 50, Page 3, Section 194.600, Line 60, by inserting after all of said section and line the following:

“633.060. No individual receiving services from the division of developmental disabilities shall have limitations imposed on rights as established under section 630.110 without due process. Due

process is the legal right to be informed, heard, and assisted through external advocacy. Due process shall include the right to be informed of actions the individual may take and a time line for restoration of rights.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 5

Amend House Amendment No. 5 to Senate Bill No. 50, Page 6, Line 44, by inserting immediately after all of said line the following:

“Further amend said bill, Page 3, Section 194.600, Line 60, by inserting after all of said section and line the following:

“334.036. 1. For purposes of this section, the following terms shall mean:

(1) “Assistant physician”, any medical school graduate who:

(a) Is a resident and citizen of the United States or is a legal resident alien;

(b) Has successfully completed Step 1 and Step 2 of the United States Medical Licensing Examination or the equivalent of such steps of any other board-approved medical licensing examination within the two-year period immediately preceding application for licensure as an assistant physician, but in no event more than three years after graduation from a medical college or osteopathic medical college;

(c) Has not completed an approved postgraduate residency and has successfully completed Step 2 of the United States Medical Licensing Examination or the equivalent of such step of any other board-approved medical licensing examination within the immediately preceding two-year period unless when such two-year anniversary occurred he or she was serving as a resident physician in an accredited residency in the United States and continued to do so within thirty days prior to application for licensure as an assistant physician; and

(d) Has proficiency in the English language[;].

Any medical school graduate who could have applied for licensure and complied with the provisions of this subdivision at any time between August 28, 2014, and August 28, 2017, may apply for licensure and shall be deemed in compliance with the provisions of this subdivision;

(2) “Assistant physician collaborative practice arrangement”, an agreement between a physician and an assistant physician that meets the requirements of this section and section 334.037;

(3) “Medical school graduate”, any person who has graduated from a medical college or osteopathic medical college described in section 334.031.

2. (1) An assistant physician collaborative practice arrangement shall limit the assistant physician to providing only primary care services and only in medically underserved rural or urban areas of this state or in any pilot project areas established in which assistant physicians may practice.

(2) For a physician-assistant physician team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended:

(a) An assistant physician shall be considered a physician assistant for purposes of regulations of the Centers for Medicare and Medicaid Services (CMS); and

(b) No supervision requirements in addition to the minimum federal law shall be required.

3. (1) For purposes of this section, the licensure of assistant physicians shall take place within processes established by rules of the state board of registration for the healing arts. The board of healing arts is authorized to establish rules under chapter 536 establishing licensure and renewal procedures, supervision, collaborative practice arrangements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensure may be denied or the licensure of an assistant physician may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule.

(2) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

4. An assistant physician shall clearly identify himself or herself as an assistant physician and shall be permitted to use the terms “doctor”, “Dr.”, or “doc”. No assistant physician shall practice or attempt to practice without an assistant physician collaborative practice arrangement, except as otherwise provided in this section and in an emergency situation.

5. The collaborating physician is responsible at all times for the oversight of the activities of and accepts responsibility for primary care services rendered by the assistant physician.

6. The provisions of section 334.037 shall apply to all assistant physician collaborative practice arrangements. To be eligible to practice as an assistant physician, a licensed assistant physician shall enter into an assistant physician collaborative practice arrangement within six months of his or her initial licensure and shall not have more than a six-month time period between collaborative practice arrangements during his or her licensure period. Any renewal of licensure under this section shall include verification of actual practice under a collaborative practice arrangement in accordance with this subsection during the immediately preceding licensure period.

Section B. Because immediate action is necessary to allow qualified individuals to act as assistant physicians and provide medical care, the repeal and reenactment of section 334.036 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 334.036 of this act shall be in full force and effect upon its passage and approval.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend Senate Bill No. 50, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“192.945. 1. As used in this section, the following terms shall mean:

(1) “Department”, the department of health and senior services;

(2) “Hemp extract”, as such term is defined in section 195.207;

(3) “Hemp extract registration card”, a card issued by the department under this section;

(4) [“Intractable epilepsy”, epilepsy that as determined by a neurologist does not respond to three or more treatment options overseen by the neurologist;

(5)] “Neurologist”, a physician who is licensed under chapter 334 and board certified in neurology;

[(6)] (5) “Parent”, a parent or legal guardian of a minor who is responsible for the minor’s medical care;

(6) “Physician”, a person who is a physician licensed by the state board of registration for the healing arts and practicing within this state and, by training or experience, is qualified to diagnose and treat a serious condition;

(7) “Registrant”, an individual to whom the department issues a hemp extract registration card under this section;

(8) “Seizure disorders”, epilepsy or nonepileptic seizures that are triggered by other physical or psychological disorders and conditions;

(9) “Serious condition”:

(a) Cancer, positive status for human immunodeficiency virus or acquired immune deficiency syndrome, amyotrophic lateral sclerosis, Parkinson’s disease, multiple sclerosis, damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity, epilepsy, inflammatory bowel disease, neuropathies, Huntington’s disease, post-traumatic stress disorder, rheumatoid arthritis; or

(b) Any of the following conditions clinically associated with, or a complication of, a condition under this subdivision or its treatment: cachexia or wasting syndrome, severe or chronic pain, severe nausea, seizures, severe or persistent muscle spasms.

2. The department shall issue a hemp extract registration card to an individual who:

(1) Is eighteen years of age or older;

(2) Is a Missouri resident;

(3) Provides the department with a [statement] **recommendation** signed by a neurologist **or physician** that:

(a) Indicates that the individual suffers from [intractable epilepsy] **a serious condition or seizure disorder** and may benefit from treatment with hemp extract; and

(b) Is consistent with a record from the neurologist **or physician** concerning the individual contained in the database described in subsection [9] **10** of this section;

(c) Indicates the neurologist or physician, by training or experience, is qualified to treat the serious condition or seizure disorder; and

(d) States that the individual is under the neurologist’s or physician’s continuing care for the serious condition or seizure disorder;

(4) Pays the department a fee in an amount established by the department under subsection 6 of this section; and

(5) Submits an application to the department on a form created by the department that contains:

- (a) The individual's name and address;
 - (b) A copy of the individual's valid photo identification; and
 - (c) Any other information the department considers necessary to implement the provisions of this section.
3. The department shall issue a hemp extract registration card to a parent who:
- (1) Is eighteen years of age or older;
 - (2) Is a Missouri resident;
 - (3) Provides the department with a [statement] **recommendation** signed by a neurologist **or physician** that:
 - (a) Indicates that a minor in the parent's care suffers from [intractable epilepsy] **a serious condition or seizure disorder** and may benefit from treatment with hemp extract; [and]
 - (b) Is consistent with a record from the neurologist **or physician** concerning the minor contained in the database described in subsection [9] **10** of this section;
 - (c) **The neurologist or physician, by training or experience, is qualified to treat the serious condition or seizure disorder; and**
 - (d) **The minor is under the neurologist's or physician's continuing care for the serious condition or seizure disorder;**
 - (4) Pays the department a fee in an amount established by the department under subsection 6 of this section; and
 - (5) Submits an application to the department on a form created by the department that contains:
 - (a) The parent's name and address;
 - (b) The minor's name;
 - (c) A copy of the parent's valid photo identification; and
 - (d) Any other information the department considers necessary to implement the provisions of this section.
4. The department shall maintain a record of the name of each registrant and the name of each minor receiving care from a registrant.
5. The department **may promulgate rules to authorize clinical trials involving hemp extract and** shall promulgate rules to:
- (1) Implement the provisions of this section including establishing the information the applicant is required to provide to the department and establishing in accordance with recommendations from the department of public safety the form and content of the hemp extract registration card; and
 - (2) Regulate the distribution of hemp extract from a cannabidiol oil care center to a registrant, which shall be in addition to any other state [or federal] regulations[; and
- The department may promulgate rules to authorize clinical trials involving hemp extract].
6. The department shall establish fees that are no greater than the amount necessary to cover the cost

the department incurs to implement the provisions of this section.

7. The registration cards issued under this section shall be valid for one year and renewable if at the time of renewal the registrant meets the requirements of either subsection 2 or 3 of this section.

8. Only the neurologist or physician may recommend hemp extract and sign the recommendation described in subsection 2 or 3 of this section as part of the treatment plan of a patient diagnosed with a serious condition or seizure disorder.

9. The neurologist **or physician** who signs the [statement] **recommendation** described in subsection 2 or 3 of this section shall:

(1) Keep a record of the neurologist's **or physician's** evaluation and observation of a patient who is a registrant or minor under a registrant's care including the patient's response to hemp extract; [and]

(2) Transmit the record described in subdivision (1) of this subsection to the department; **and**

(3) Notify the patient or the patient's parent or guardian if the patient is a minor, prior to providing a recommendation, that hemp extract has not been approved by the Federal Drug Administration and by using such treatment the patient or patient's parent or guardian is accepting the risks involved in using an unapproved product.

[9.] **10.** The department shall maintain a database of the records described in subsection [8] **9** of this section and treat the records as identifiable health data.

[10.] **11.** The department may share the records described in subsection 9 of this section with a higher education institution for the purpose of studying hemp extract.

[11.] **12.** Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 14, 2014, shall be invalid and void.

192.947. 1. No individual or health care entity organized under the laws of this state shall be subject to any adverse action by the state or any agency, board, or subdivision thereof, including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission if such individual or health care entity, in its normal course of business and within its applicable licenses and regulations, acts in good faith upon or in furtherance of any order or recommendation by a neurologist **or physician** authorized under section 192.945 relating to the medical use and administration of hemp extract with respect to an eligible patient.

2. The provisions of subsection 1 of this section shall apply to the recommendation, possession, handling, storage, transfer, destruction, dispensing, or administration of hemp extract, including any act in preparation of such dispensing or administration.

[3. This section shall not be construed to limit the rights provided under law for a patient to bring a civil action for damages against a physician, hospital, registered or licensed practical nurse, pharmacist, any other individual or entity providing health care services, or an employee of any entity listed in this subsection.];

and

Further amend said bill, Page 3, Section 194.600, Line 60, by inserting immediately after all of said line the following:

“195.207. 1. As used in sections 192.945, 261.265, 261.267, and this section, the term “hemp extract” shall mean an extract from a cannabis plant or a mixture or preparation containing cannabis plant material that:

- (1) Is composed of no more than [three-tenths] **nine-tenths** percent tetrahydrocannabinol by weight;
- (2) Is composed of at least [five] **one and one-half** percent cannabidiol by weight; and
- (3) Contains no other psychoactive substance.

2. Notwithstanding any other provision of this chapter **or chapter 579**, an individual who has been issued a valid hemp extract registration card under section 192.945, or is a minor under a registrant’s care, and possesses or uses hemp extract is not subject to the penalties described in this chapter **or chapter 579** for possession or use of the hemp extract if the individual:

(1) Possesses or uses the hemp extract only to treat [intractable epilepsy] **a serious condition or seizure disorder** as defined in section 192.945;

(2) Originally obtained the hemp extract from a sealed container with a label indicating the hemp extract’s place of origin and a number that corresponds with a certificate of analysis;

(3) Possesses, in close proximity to the hemp extract, a certificate of analysis that:

(a) Has a number that corresponds with the number on the label described in subdivision (2) of this subsection;

(b) Indicates the hemp extract’s ingredients including its percentages of tetrahydrocannabinol and cannabidiol by weight;

(c) Is created by a laboratory that is not affiliated with the producer of the hemp extract and is licensed in the state where the hemp extract was produced; and

(d) Is transmitted by the laboratory to the department of health and senior services; and

(4) Has a current hemp extract registration card issued by the department of health and senior services under section 192.945.

3. Notwithstanding any other provision of this chapter **or chapter 579**, an individual who possesses hemp extract lawfully under subsection [2] **1** of this section and administers hemp extract to a minor suffering from [intractable epilepsy] **a serious condition or seizure disorder** is not subject to the penalties described in this chapter **or chapter 579** for administering the hemp extract to the minor if:

(1) The individual is the minor’s parent or legal guardian; and

(2) The individual is registered with the department of health and senior services as the minor’s parent under section 192.945.

4. An individual who has [been issued] a valid hemp extract registration card under section 192.945, or is a minor under a registrant’s care, may possess up to twenty ounces of hemp extract pursuant to this section. Subject to any rules or regulations promulgated by the department of health and senior services,

an individual may apply for a waiver if a **neurologist or** physician provides a substantial medical basis in a signed, written statement asserting that, based on the patient’s medical history, in the physician’s professional judgment, twenty ounces is an insufficient amount to properly alleviate the patient’s medical condition or symptoms associated with such medical condition.

261.265. 1. For purposes of this section, the following terms shall mean:

(1) “Cannabidiol oil care center”, the premises specified in an application for a cultivation and production facility license in which the licensee is authorized to distribute processed hemp extract to persons possessing a hemp extract registration card issued under section 192.945;

(2) “Cultivation and production facility”, the land and premises specified in an application for a cultivation and production facility license on which the licensee is authorized to grow, cultivate, process, and possess hemp and hemp extract;

(3) “Cultivation and production facility license”, a license that authorizes the licensee to grow, cultivate, process, and possess hemp and hemp extract, and distribute hemp extract to its cannabidiol oil care centers;

(4) “Department”, the department of agriculture;

(5) “**Entity**”, a person, corporation, nonprofit corporation, limited liability corporation, general or limited partnership, or other legal entity;

(6) “Grower”, a nonprofit entity issued a cultivation and production facility license by the department of agriculture that produces hemp extract for the treatment of [intractable epilepsy] **a serious condition or seizure disorder as such terms are defined under section 192.945;**

[(6)] (7) “Hemp”:

(a) All nonseed parts and varieties of the *cannabis sativa* plant, whether growing or not, that contain a crop-wide average tetrahydrocannabinol (THC) concentration that does not exceed the lesser of:

a. [Three-tenths] **Nine-tenths** of one percent on a dry weight basis; or

b. The percent based on a dry weight basis determined by the federal Controlled Substances Act under 21 U.S.C. Section 801, et seq.;

(b) Any *cannabis sativa* seed that is:

a. Part of a growing crop;

b. Retained by a grower for future planting; or

c. For processing into or use as agricultural hemp seed.

This term shall not include industrial hemp commodities or products;

[(7)] (8) “Hemp monitoring system”, an electronic tracking system that includes, but is not limited to, testing and data collection established and maintained by the cultivation and production facility and is available to the department for the purposes of documenting the hemp extract production and retail sale of the hemp extract.

2. The department shall issue a cultivation and production facility license to [a nonprofit] **an** entity to grow or cultivate the cannabis plant used to make hemp extract as defined in subsection 1 of section 195.207 or hemp on the entity’s property if the entity **has been a resident of the state for at least five years, has**

completed a state and federal fingerprint-based criminal record check in accordance with section 43.543 and has paid all applicable criminal background check fees in accordance with section 43.530, has submitted to the department an application as required by the department under subsection 7 of this section, the entity meets all requirements of this section and the department's rules, and there are fewer than [two] **ten** licensed cultivation and production facilities operating in the state. **Any cultivation and production facility license issued before August 28, 2017, shall continue to be valid even if the licensed entity does not meet the residency requirement under this subsection, and the licensed entity may implement the new provisions defined in this section upon its enactment.**

3. A grower may produce and manufacture hemp and hemp extract, and distribute hemp extract as defined in section 195.207 for the treatment of persons suffering from [intractable epilepsy as defined in section 192.945] **a serious condition or seizure disorder**, consistent with any and all state [or federal] regulations regarding the production, manufacture, or distribution of such product. The department shall not issue more than [two] **five** cultivation and production facility licenses for the operation of such facilities at any one time **in 2018, and not more than ten cultivation and production facility licenses for the operation of such facilities at any one time in 2019.**

4. The department shall maintain a list of growers.

5. All growers shall keep records in accordance with rules adopted by the department. Upon at least three days' notice, the director of the department may audit the required records during normal business hours. The director may conduct an audit for the purpose of ensuring compliance with this section.

6. In addition to an audit conducted in accordance with subsection 5 of this section, the director may inspect independently, or in cooperation with the state highway patrol or a local law enforcement agency, any hemp crop during the crop's growth phase and take a representative composite sample for field analysis. If a crop contains an average tetrahydrocannabinol (THC) concentration exceeding the lesser of:

(1) [Three-tenths] **Nine-tenths** of one percent on a dry weight basis; or

(2) The percent based on a dry weight basis determined by the federal Controlled Substances Act under 21 U.S.C. Section 801, et seq.,

the director may detain, seize, or embargo the crop.

7. The department shall promulgate rules including, but not limited to:

(1) Application requirements for licensing, including requirements for the submission of fingerprints and the completion of a criminal background check;

(2) Security requirements for cultivation and production facility premises, including, at a minimum, lighting, physical security, video and alarm requirements;

(3) Rules relating to hemp monitoring systems as defined in this section;

(4) Other procedures for internal control as deemed necessary by the department to properly administer and enforce the provisions of this section, including reporting requirements for changes, alterations, or modifications of the premises;

(5) Requirements that any hemp extract received from a legal source be submitted to a testing facility designated by the department to ensure that such hemp extract complies with the provisions of section 195.207 and to ensure that the hemp extract does not contain any pesticides. Any hemp extract that is not

submitted for testing or which after testing is found not to comply with the provisions of section 195.207 shall not be distributed or used and shall be submitted to the department for destruction; and

(6) Rules regarding the manufacture, storage, and transportation of hemp and hemp extract, which shall be in addition to any other state or federal regulations.

8. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 14, 2014, **shall be invalid and void**.

9. All hemp waste from the production of hemp extract shall either be destroyed, recycled by the licensee at the hemp cultivation and production facility, or donated to the department or an institution of higher education for research purposes, and shall not be used for commercial purposes.

10. In addition to any other liability or penalty provided by law, the director may revoke or refuse to issue or renew a cultivation and production facility license and may impose a civil penalty on a grower for any violation of this section, or section 192.945 or 195.207. The director may not impose a civil penalty under this section that exceeds two thousand five hundred dollars.

11. The department shall establish fees that are no greater than the amount necessary to cover the cost the department incurs to implement the provisions of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to Senate Bill No. 50, Page 1, Line 25, by deleting said line and inserting in lieu thereof the following:

“210.233. 1. All licensed child care facilities shall report annually to the department whether the child care facility has liability insurance coverage and if so, shall provide the department with proof of such insurance coverage.

2. The department shall publish and update annually on its website whether each licensed child care facility has liability insurance coverage. Upon request, the department shall provide insurance coverage information regarding a child care facility, including the name, address, and telephone number of the facility’s liability insurance carrier.

3. The department may promulgate rules and regulations to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

332.081. 1. Notwithstanding any other provision of law, hospitals licensed under chapter”; and

Further amend said amendment, Page 4, Line 39, by inserting after the word “board” the words “, **but shall be no less than three years**”; and

Further amend said amendment, Page 5, Line 7, by inserting immediately after the words “limited to,” the words “**up to thirty hours triennially of**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend Senate Bill No. 50, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“192.500. 1. For purposes of this section, the following terms shall mean:

(1) “Cone beam computed tomography system”, a medical imaging device using x-ray computed tomography to capture data using a cone-shaped x-ray beam;

(2) “Panoramic x-ray system”, an imaging device that captures the entire mouth in a single, two-dimensional image including the teeth, upper and lower jaws, and surrounding structures and tissues.

2. Cone beam computed tomography systems and panoramic x-ray systems that cannot produce radiation intensity greater than thirty milligrays shall not be required to be inspected more frequently than every three years.

3. Cone beam computed tomography systems that can produce radiation intensity of greater than thirty milligrays shall be inspected annually.

4. In addition to the requirements of subsections 2 and 3 of this section, all cone beam computed tomography systems and panoramic x-ray systems shall be inspected within thirty days of installation and whenever moved within an office.

5. Notwithstanding any law to the contrary, inspections of conventional x-ray equipment used exclusively on animals by a licensed veterinarian or veterinary facility under chapter 340 shall not be required to be inspected more frequently than every four years.”; and

Further amend said bill, Page 3, Section 194.600, Line 60, by inserting immediately after said section and line the following:

“332.081. 1. Notwithstanding any other provision of law, hospitals licensed under chapter 197 shall be authorized to employ any or all of the following oral health providers:

(1) A dentist licensed under this chapter for the purpose of treating on hospital premises those patients who present with a dental condition and such treatment is necessary to ameliorate the condition for which they presented such as severe pain or tooth abscesses;

(2) An oral and maxillofacial surgeon licensed under this chapter for the purpose of treating oral conditions that need to be ameliorated as part of treating the underlying cause of the patient’s medical needs including, but not limited to, head and neck cancer, HIV or AIDS, severe trauma resulting in admission to the hospital, organ transplant, diabetes, or seizure disorders. It shall be a condition of treatment that such patients are admitted to the hospital on either an in- or out-patient basis;

(3) A maxillofacial prosthodontist licensed under this chapter for the purpose of treating and supporting patients of a head and neck cancer team or other complex care or surgical team for the

fabrication of appliances following ablative surgery, surgery to correct birth anomalies, extensive radiation treatment of the head or neck, or trauma-related surgery.

2. No person or other entity shall practice dentistry in Missouri or provide dental services as defined in section 332.071 unless and until the board has issued to the person a certificate certifying that the person has been duly registered as a dentist in Missouri or to an entity that has been duly registered to provide dental services by licensed dentists and dental hygienists and unless and until the board has issued to the person a license, to be renewed each period, as provided in this chapter, to practice dentistry or as a dental hygienist, or has issued to the person or entity a permit, to be renewed each period, to provide dental services in Missouri. Nothing in this chapter shall be so construed as to make it unlawful for:

(1) A legally qualified physician or surgeon, who does not practice dentistry as a specialty, from extracting teeth;

(2) A dentist licensed in a state other than Missouri from making a clinical demonstration before a meeting of dentists in Missouri;

(3) Dental students in any accredited dental school to practice dentistry under the personal direction of instructors;

(4) Dental hygiene students in any accredited dental hygiene school to practice dental hygiene under the personal direction of instructors;

(5) A duly registered and licensed dental hygienist in Missouri to practice dental hygiene as defined in section 332.091;

(6) A dental assistant, certified dental assistant, or expanded functions dental assistant to be delegated duties as defined in section 332.093;

(7) A duly registered dentist or dental hygienist to teach in an accredited dental or dental hygiene school;

(8) A duly qualified anesthesiologist or nurse anesthetist to administer an anesthetic in connection with dental services or dental surgery; or

(9) A person to practice dentistry in or for:

(a) The United States Armed Forces;

(b) The United States Public Health Service;

(c) Migrant, community, or health care for the homeless health centers provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b));

(d) Federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act;

(e) Governmental entities, including county health departments; or

(f) The United States Veterans Bureau; or

(10) A dentist licensed in a state other than Missouri to evaluate a patient or render an oral, written, or otherwise documented dental opinion when providing testimony or records for the purpose of a civil or criminal action before any judicial or administrative proceeding of this state or other forum in this state.

[2]3. No corporation shall practice dentistry as defined in section 332.071 unless that corporation is

organized under the provisions of chapter 355 or 356 provided that a corporation organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3) may only employ dentists and dental hygienists licensed in this state to render dental services to Medicaid recipients, low-income individuals who have available income below two hundred percent of the federal poverty level, and all participants in the SCHIP program, unless such limitation is contrary to or inconsistent with federal or state law or regulation. This subsection shall not apply to:

(1) A hospital licensed under chapter 197 that provides care and treatment only to children under the age of eighteen at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(2) A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396(d)(1)), or a migrant, community, or health care for the homeless health center provided for in Section 330 of the Public Health Services Act (42 U.S.C. 254(b)) at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(3) A city or county health department organized under chapter 192 or chapter 205 at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(4) A social welfare board organized under section 205.770, a city health department operating under a city charter, or a city-county health department at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(5) Any entity that has received a permit from the dental board and does not receive compensation from the patient or from any third party on the patient's behalf at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(6) Any hospital nonprofit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, as amended, that engages in its operations and provides dental services at facilities owned by a city, county, or other political subdivision of the state at which a person regulated under this chapter provides dental care within the scope of his or her license or registration.

If any of the entities exempted from the requirements of this subsection are unable to provide services to a patient due to the lack of a qualified provider and a referral to another entity is made, the exemption shall extend to the person or entity that subsequently provides services to the patient.

[3]4. No unincorporated organization shall practice dentistry as defined in section 332.071 unless such organization is exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and provides dental treatment without compensation from the patient or any third party on their behalf as a part of a broader program of social services including food distribution. Nothing in this chapter shall prohibit organizations under this subsection from employing any person regulated by this chapter.

[4]5. A dentist shall not enter into a contract that allows a person who is not a dentist to influence or interfere with the exercise of the dentist's independent professional judgment.

[5]6. A not-for-profit corporation organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), an unincorporated organization operating pursuant to subsection 3 of this section, or any other person should not direct or interfere or attempt to direct or interfere with a licensed dentist's professional judgment and competent practice of dentistry. Nothing in this subsection shall be so construed as to make it unlawful for not-for-profit organizations to enforce

employment contracts, corporate policy and procedure manuals, or quality improvement or assurance requirements.

[6]7. All entities defined in subsection 2 of this section and those exempted under subsection 3 of this section shall apply for a permit to employ dentists and dental hygienists licensed in this state to render dental services, and the entity shall apply for the permit in writing on forms provided by the Missouri dental board. The board shall not charge a fee of any kind for the issuance or renewal of such permit. The provisions of this subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

[7]8. Any entity that obtains a permit to render dental services in this state is subject to discipline pursuant to section 332.321. If the board concludes that the person or entity has committed an act or is engaging in a course of conduct that would be grounds for disciplinary action, the board may file a complaint before the administrative hearing commission. The board may refuse to issue or renew the permit of any entity for one or any combination of causes stated in subsection 2 of section 332.321. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

[8]9. A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)) shall register with the board. The information provided to the board as part of the registration shall include the name of the health center, the nonprofit status of the health center, sites where dental services will be provided, and the names of all persons employed by, or contracting with, the health center who are required to hold a license pursuant to this chapter. The registration shall be renewed every twenty-four months. The board shall not charge a fee of any kind for the issuance or renewal of the registration. The registration of the health center shall not be subject to discipline pursuant to section 332.321. Nothing in this subsection shall prohibit disciplinary action against a licensee of this chapter who is employed by, or contracts with, such health center for the actions of the licensee in connection with such employment or contract. All licensed persons employed by, or contracting with, the health center shall certify in writing to the board at the time of issuance and renewal of the registration that the facility of the health center meets the same operating standards regarding cleanliness, sanitation, and professionalism as would the facility of a dentist licensed by this chapter. The board shall promulgate rules regarding such standards.

[9]10. The board may promulgate rules and regulations to ensure not-for-profit corporations are rendering care to the patient populations as set forth herein, including requirements for covered not-for-profit corporations to report patient census data to the board. The provisions of this subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

[10]11. All not-for-profit corporations organized or operated pursuant to the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), or the requirements relating to migrant, community, or health care for the homeless health centers provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b)) and federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act, that employ persons who practice dentistry or dental hygiene in this state shall do so in accordance with the relevant laws of this state except to the extent that such laws are contrary to, or inconsistent with, federal statute or regulation.

345.051. 1. Every person licensed or registered pursuant to the provisions of sections 345.010 to

345.080 shall renew the license or registration on or before the renewal date. Such renewal date shall be determined by the board. The application shall be made on a form furnished by the board. The application shall include, but not be limited to, disclosure of the applicant's full name and the applicant's office and residence addresses and the date and number of the applicant's license or registration, all final disciplinary actions taken against the applicant by any speech-language-hearing association or society, state, territory or federal agency or country and information concerning the applicant's current physical and mental fitness to practice.

2. A blank form for application for license or registration renewal shall be mailed to each person licensed or registered in this state at the person's last known office or residence address. The failure to mail the form of application or the failure to receive it does not, however, relieve any person of the duty to renew the license or registration and pay the fee required by sections 345.010 to 345.080 for failure to renew the license or registration.

3. An applicant for renewal of a license or registration under this section shall:

(1) Submit an amount established by the board; and

(2) Meet any other requirements the board establishes as conditions for license or registration renewal, including the demonstration of continued competence to practice the profession for which the license or registration is issued. A requirement of continued competence may include, but is not limited to, continuing education, examination, self-evaluation, peer review, performance appraisal or practical simulation.

4. If a license or registration is suspended pursuant to section 345.065, the license or registration expires on the expiration date as established by the board for all licenses and registrations issued pursuant to sections 345.010 to 345.080. Such license or registration may be renewed but does not entitle the licensee to engage in the licensed or registered activity or in any other conduct or activity which violates the order of judgment by which the license or registration was suspended until such license or registration has been reinstated.

5. If a license or registration is revoked on disciplinary grounds pursuant to section 345.065, the license or registration expires on the expiration date as established by the board for all licenses and registrations issued pursuant to sections 345.010 to 345.080. Such license or registration may not be renewed. If a license or registration is reinstated after its expiration, the licensee, as a condition of reinstatement, shall pay a reinstatement fee that is equal to the renewal fee in effect on the last regular renewal date immediately preceding the date of reinstatement plus any late fee established by the board.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to Senate Bill No. 50, Page 3, Line 26, by deleting said line and inserting in lieu thereof the following:

“section shall become effective unless it has been promulgated pursuant to chapter 536.

192.380. 1. For purposes of this section, the following terms shall mean:

(1) “Birthing facility”, any hospital as defined under section 197.020 with more than one licensed obstetric bed or a neonatal intensive care unit, a hospital operated by a state university, or a birthing center licensed under sections 197.200 to 197.240;

(2) “Department”, the department of health and senior services.

2. After holding multiple public hearings in diverse geographic regions of the state and seeking broad public and stakeholder input, the department shall establish criteria for levels of maternal care designations and levels of neonatal care designations for birthing facilities. The levels developed under this section shall be based upon:

(1) The most current published version of the “Levels of Neonatal Care” developed by the American Academy of Pediatrics;

(2) The most current published version of the “Levels of Maternal Care” developed by the American Congress of Obstetricians and Gynecologists and the Society for Maternal-Fetal Medicine; and

(3) Necessary variance when considering the geographic and varied needs of citizens of this state.

3. Nothing in this section shall be construed in any way to modify or expand the licensure of any health care professional.

4. Nothing in this section shall be construed in any way to require a patient be transferred to a different facility.

5. The department shall promulgate rules to implement the provisions of this section no later than January 1, 2018. Such rules shall be limited to those necessary for the establishment of levels of neonatal care designations and levels of maternal care designations for birthing facilities under subsection 2 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

6. Beginning January 1, 2019, any hospital with a birthing facility shall report to the department its appropriate level of maternal care designation and neonatal care designation as determined by the criteria outlined under subsection 2 of this section.

7. Beginning January 1, 2019, any hospital with a birthing facility operated by a state university shall report to the department its appropriate level of maternal care designation and neonatal care designation as determined by the criteria outlined under subsection 2 of this section.

8. The department may partner with appropriate nationally recognized professional organizations with demonstrated expertise in maternal and neonatal standards of care to administer the provisions of this section.

9. The criteria for levels of maternal and neonatal care developed under subsection 2 of this section shall not include pregnancy termination or counseling or referral for pregnancy termination.”; and” ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend Senate Bill No. 50, Page 1, Section A, Line 2, by inserting after said section and line the following:

“191.332. 1. By January 1, 2002, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include potentially treatable or manageable disorders, which may include but are not limited to cystic fibrosis, galactosemia, biotinidase deficiency, congenital adrenal hyperplasia, maple syrup urine disease (MSUD) and other amino acid disorders, glucose-6-phosphate dehydrogenase deficiency (G-6-PD), MCAD and other fatty acid oxidation disorders, methylmalonic acidemia, propionic acidemia, isovaleric acidemia and glutaric acidemia Type I.

2. By January 1, 2017, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include severe combined immunodeficiency (SCID), also known as bubble boy disease. The department may increase the fee authorized under subsection 6 of section 191.331 to cover any additional costs of the expanded newborn screening requirements under this subsection.

3. By January 1, 2019, the department of health and senior services shall, subject to appropriations, expand the newborn screening requirements in section 191.331 to include spinal muscular atrophy (SMA) and Hunter syndrome (MPS II). The department may increase the fee authorized under subsection 6 of section 191.331 to cover any additional costs of the expanded newborn screening requirements under this subsection. To help fund initial costs incurred by the state, the department shall apply for available newborn screening grant funding specific to screening for spinal muscular atrophy and Hunter syndrome. The department shall have discretion in accepting the terms of such grants.

4. The department of health and senior services may promulgate rules to implement the provisions of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend Senate Bill No. 50, Page 3, Section 194.600, Line 60, by inserting immediately after said section and line the following:

“211.021. [1.] As used in this chapter, unless the context clearly requires otherwise:

(1) “Adult” means a person [seventeen] **eighteen** years of age or older [except for seventeen-year-old children as defined in this section];

(2) “Child” means any person under [seventeen] **eighteen** years of age [and shall mean, in addition, any person over seventeen but not yet eighteen years of age alleged to have committed a status offense];

(3) “Juvenile court” means the juvenile division or divisions of the circuit court of the county, or judges while hearing juvenile cases assigned to them;

(4) “Legal custody” means the right to the care, custody and control of a child and the duty to provide

food, clothing, shelter, ordinary medical care, education, treatment and discipline of a child. Legal custody may be taken from a parent only by court action and if the legal custody is taken from a parent without termination of parental rights, the parent's duty to provide support continues even though the person having legal custody may provide the necessities of daily living;

(5) "Parent" means either a natural parent or a parent by adoption and if the child is illegitimate, "parent" means the mother;

(6) "Shelter care" means the temporary care of juveniles in physically unrestricting facilities pending final court disposition. These facilities may include:

(a) "Foster home", the private home of foster parents providing twenty-four-hour care to one to three children unrelated to the foster parents by blood, marriage or adoption;

(b) "Group foster home", the private home of foster parents providing twenty-four-hour care to no more than six children unrelated to the foster parents by blood, marriage or adoption;

(c) "Group home", a child care facility which approximates a family setting, provides access to community activities and resources, and provides care to no more than twelve children;

(7) "Status offense", any offense as described in subdivision (2) of subsection 1 of section 211.031.

[2. The amendments to subsection 1 of this section, as provided for in this act, shall not take effect until such time as appropriations by the general assembly for additional juvenile officer full-time equivalents and deputy juvenile officer full-time equivalents shall exceed by one million nine hundred thousand dollars the amount spent by the state for such officers in fiscal year 2007 and appropriations by the general assembly to single first class counties for juvenile court personnel costs shall exceed by one million nine hundred thousand dollars the amount spent by the state for such juvenile court personnel costs in fiscal year 2007 and notice of such appropriations has been given to the revisor of statutes].

211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190 shall have exclusive original jurisdiction in proceedings:

(1) Involving any child [or person seventeen years of age] who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child [or person seventeen years of age], neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child [or person seventeen years of age] shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child [or person seventeen years of age] is otherwise without proper care, custody or support; or

(c) The child [or person seventeen years of age] was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child [or person seventeen years of age is a child] is in need of mental health services and the

parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of [seventeen] **eighteen** years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child [or person seventeen years of age] to the guardianship of the department of social services as provided by law; and

(6) Involving an order of protection pursuant to chapter 455 when the respondent is less than [seventeen] **eighteen** years of age.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child [or person seventeen years of age] who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child [or person seventeen years of age] may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person [seventeen] **eighteen** years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter,

the court in which a proceeding is commenced may transfer the proceeding of a child [or person seventeen years of age] to the court located in the county of the child's residence [or the residence of the person seventeen years of age], or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child [or person seventeen years of age] to the court located in the county of the child's residence [or the residence of the person seventeen years of age] for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child [or person seventeen years of age] under the supervision of another juvenile court within or without the state pursuant to section 210.570 with the consent of the receiving court;

(5) Upon motion of any child [or person seventeen years of age] or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri supreme court rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child [or person seventeen years of age], certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child [or person seventeen years of age] taken into custody in a county other than the county of the child's residence [or the residence of a person seventeen years of age], the juvenile court of the county of the child's residence [or the residence of a person seventeen years of age] shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.

5. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care or for the removal of custody of a child from the parent without a specific showing that there is a causal relation between the disability or disease and harm to the child.

211.032. 1. Except as otherwise provided in a circuit participating in a pilot project established by the Missouri supreme court, when a child [or person seventeen years of age], alleged to be in need of care and treatment pursuant to subdivision (1) of subsection 1 of section 211.031, is taken into custody, the juvenile or family court shall notify the parties of the right to have a protective custody hearing. Such notification shall be in writing.

2. Upon request from any party, the court shall hold a protective custody hearing. Such hearing shall be held within three days of the request for a hearing, excluding Saturdays, Sundays and legal holidays. For circuits participating in a pilot project established by the Missouri supreme court, the parties shall be notified at the status conference of their right to request a protective custody hearing.

3. No later than February 1, 2005, the Missouri supreme court shall require a mandatory court

proceeding to be held within three days, excluding Saturdays, Sundays, and legal holidays, in all cases under subdivision (1) of subsection 1 of section 211.031. The Missouri supreme court shall promulgate rules for the implementation of such mandatory court proceedings and may consider recommendations from any pilot projects established by the Missouri supreme court regarding such proceedings. Nothing in this subsection shall prevent the Missouri supreme court from expanding pilot projects prior to the implementation of this subsection.

4. The court shall hold an adjudication hearing no later than sixty days after the child has been taken into custody. The court shall notify the parties in writing of the specific date, time, and place of such hearing. If at such hearing the court determines that sufficient cause exists for the child to remain in the custody of the state, the court shall conduct a dispositional hearing no later than ninety days after the child has been taken into custody and shall conduct review hearings regarding the reunification efforts made by the division every ninety to one hundred twenty days for the first year the child is in the custody of the division. After the first year, review hearings shall be held as necessary, but in no event less than once every six months for as long as the child is in the custody of the division.

5. At all hearings held pursuant to this section the court may receive testimony and other evidence relevant to the necessity of detaining the child out of the custody of the parents, guardian or custodian.

6. By January 1, 2005, the supreme court shall develop rules regarding the effect of untimely hearings.

7. If the placement of any child in the custody of the children's division will result in the child attending a school other than the school the child was attending when taken into custody:

(1) The child's records from such school shall automatically be forwarded to the school that the child is transferring to upon notification within two business days by the division; or

(2) Upon request of the foster family, the guardian ad litem, or the volunteer advocate and whenever possible, the child shall be permitted to continue to attend the same school that the child was enrolled in and attending at the time the child was taken into custody by the division. The division, in consultation with the department of elementary and secondary education, shall establish the necessary procedures to implement the provisions of this subsection.

211.033. 1. No person under the age of [seventeen] **eighteen** years, except those transferred to the court of general jurisdiction under the provisions of section 211.071 shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of [seventeen] **eighteen** to a juvenile detention facility.

2. Nothing in this section shall be construed as creating any civil or criminal liability for any law enforcement officer, juvenile officer, school personnel, or court personnel for any action taken or failure to take any action involving a minor child who remains under the jurisdiction of the juvenile court under this section if such action or failure to take action is based on a good faith belief by such officer or personnel that the minor child is not under the jurisdiction of the juvenile court.

[3. The amendments to subsection 2 of this section, as provided for in this act, shall not take effect until such time as the provisions of section 211.021 shall take effect in accordance with subsection 2 of section 211.021.]

211.041. When jurisdiction over the person of a child has been acquired by the juvenile court under the

provisions of this chapter in proceedings coming within the applicable provisions of section 211.031, the jurisdiction of the child may be retained for the purpose of this chapter until he or she has attained the age of twenty-one years, except in cases where he or she is committed to and received by the division of youth services, unless jurisdiction has been returned to the committing court by provisions of chapter 219 through requests of the court to the division of youth services and except in any case where he or she has not paid an assessment imposed in accordance with section 211.181 or in cases where the judgment for restitution entered in accordance with section 211.185 has not been satisfied. Every child over whose person the juvenile court retains jurisdiction shall be prosecuted under the general law for any violation of a state law or of a municipal ordinance which he or she commits after he or she becomes [seventeen] **eighteen** years of age. The juvenile court shall have no jurisdiction with respect to any such violation and, so long as it retains jurisdiction of the child, shall not exercise its jurisdiction in such a manner as to conflict with any other court's jurisdiction as to any such violation.

211.061. 1. When a child is taken into custody with or without warrant for an offense, the child, together with any information concerning the child and the personal property found in the child's possession, shall be taken immediately and directly before the juvenile court or delivered to the juvenile officer or person acting for [him] **the child**.

2. If any person is taken before a circuit or associate circuit judge not assigned to juvenile court or a municipal judge, and it is then, or at any time thereafter, ascertained that he or she was under the age of [seventeen] **eighteen** years at the time he or she is alleged to have committed the offense, or that he or she is subject to the jurisdiction of the juvenile court as provided by this chapter, it is the duty of the judge forthwith to transfer the case or refer the matter to the juvenile court, and direct the delivery of such person, together with information concerning him or her and the personal property found in his or her possession, to the juvenile officer or person acting as such.

3. When the juvenile court is informed that a child is in detention it shall examine the reasons therefor and shall immediately:

(1) Order the child released; or

(2) Order the child continued in detention until a detention hearing is held. An order to continue the child in detention shall only be entered upon the filing of a petition or motion to modify and a determination by the court that probable cause exists to believe that the child has committed acts specified in the petition or motion that bring the child within the jurisdiction of the court under subdivision (2) or (3) of subsection 1 of section 211.031.

4. A juvenile shall not remain in detention for a period greater than twenty-four hours unless the court orders a detention hearing. If such hearing is not held within three days, excluding Saturdays, Sundays and legal holidays, the juvenile shall be released from detention unless the court for good cause orders the hearing continued. The detention hearing shall be held within the judicial circuit at a date, time and place convenient to the court. Notice of the date, time and place of a detention hearing, and of the right to counsel, shall be given to the juvenile and his or her custodian in person, by telephone, or by such other expeditious method as is available.

211.071. 1. If a petition alleges that a child between the ages of twelve and [seventeen] **eighteen** has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general

jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030 as it existed prior to August 28, 2013, rape in the first degree under section 566.030, forcible sodomy under section 566.060 as it existed prior to August 28, 2013, sodomy in the first degree under section 566.060, first degree robbery under section 569.020 **as it existed prior to January 1, 2017, or first degree robbery under section 570.023**, [or] distribution of drugs under section 195.211 **as it existed prior to January 1, 2017, or the manufacturing of a controlled substance under section 579.055**, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between [seventeen] **eighteen** and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the prosecution of the child results in a conviction, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court shall, in a case when the offender is under [seventeen] **eighteen** years [and six months] of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, consider dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section:

(1) Upon agreement of the division of youth services; and

(2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section. If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of [seventeen] **eighteen**, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed.

211.081. 1. Whenever any person informs the court in person and in writing that a child appears to be within the purview of applicable provisions of section 211.031 [or that a person seventeen years of age appears to be within the purview of the provisions of subdivision (1) of subsection 1 of section 211.031], the court shall make or cause to be made a preliminary inquiry to determine the facts and to determine whether or not the interests of the public or of the child [or person seventeen years of age] require that further action be taken. On the basis of this inquiry, the juvenile court may make such informal adjustment as is practicable without a petition or may authorize the filing of a petition by the juvenile officer. Any other provision of this chapter to the contrary notwithstanding, the juvenile court shall not make any order for disposition of a child [or person seventeen years of age] which would place or commit the child [or person

seventeen years of age] to any location outside the state of Missouri without first receiving the approval of the children's division.

2. Placement in any institutional setting shall represent the least restrictive appropriate placement for the child [or person seventeen years of age] and shall be recommended based upon a psychological or psychiatric evaluation or both. Prior to entering any order for disposition of a child [or person seventeen years of age] which would order residential treatment or other services inside the state of Missouri, the juvenile court shall enter findings which include the recommendation of the psychological or psychiatric evaluation or both; and certification from the division director or designee as to whether a provider or funds or both are available, including a projection of their future availability. If the children's division indicates that funding is not available, the division shall recommend and make available for placement by the court an alternative placement for the child [or person seventeen years of age]. The division shall have the burden of demonstrating that they have exercised due diligence in utilizing all available services to carry out the recommendation of the evaluation team and serve the best interest of the child [or person seventeen years of age]. The judge shall not order placement or an alternative placement with a specific provider but may reasonably designate the scope and type of the services which shall be provided by the department to the child [or person seventeen years of age].

3. Obligations of the state incurred under the provisions of section 211.181 shall not exceed, in any fiscal year, the amount appropriated for this purpose.

211.091. 1. The petition shall be entitled "In the interest of, a child under [seventeen] **eighteen** years of age" [or "In the interest of, a child seventeen years of age" or "In the interest of, a person seventeen years of age" as appropriate to the subsection of section 211.031 that provides the basis for the filing of the petition].

2. The petition shall set forth plainly:

(1) The facts which bring the child [or person seventeen years of age] within the jurisdiction of the court;

(2) The full name, birth date, and residence of the child [or person seventeen years of age];

(3) The names and residence of his or her parents, if living;

(4) The name and residence of his or her legal guardian if there be one, of the person having custody of the child [or person seventeen years of age] or of the nearest known relative if no parent or guardian can be found; and

(5) Any other pertinent data or information.

3. If any facts required in subsection 2 of this section are not known by the petitioner, the petition shall so state.

4. Prior to the voluntary dismissal of a petition filed under this section, the juvenile officer shall assess the impact of such dismissal on the best interests of the child, and shall take all actions practicable to minimize any negative impact.

211.101. 1. After a petition has been filed, unless the parties appear voluntarily, the juvenile court shall issue a summons in the name of the state of Missouri requiring the person who has custody of the child [or person seventeen years of age] to appear personally and, unless the court orders otherwise, to bring the child [or person seventeen years of age] before the court, at the time and place stated.

2. If the person so summoned is other than a parent or guardian of the child [or person seventeen years of age], then the parent or guardian or both shall also be notified of the pendency of the case and of the time and place appointed.

3. If it appears that the child [or person seventeen years of age] is in such condition or surroundings that his or her welfare requires that his or her custody be immediately assumed by the court, the judge may order, by endorsement upon the summons, the officer serving it to take the child [or person seventeen years of age] into custody at once.

4. Subpoena may be issued requiring the appearance of any other person whose presence, in the opinion of the judge, is necessary.

211.161. 1. The court may cause any child [or person seventeen years of age] within its jurisdiction to be examined by a physician, psychiatrist or psychologist appointed by the court in order that the condition of the child [or person seventeen years of age] may be given consideration in the disposition of his case. The expenses of the examination when approved by the court shall be paid by the county, except that the county shall not be liable for the costs of examinations conducted by the department of mental health either directly or through contract.

2. The services of a state, county or municipally maintained hospital, institution, or psychiatric or health clinic may be used for the purpose of this examination and treatment.

3. A county may establish medical, psychiatric and other facilities, upon request of the juvenile court, to provide proper services for the court in the diagnosis and treatment of children [or persons seventeen years of age] coming before it and these facilities shall be under the administration and control of the juvenile court. The juvenile court may appoint and fix the compensation of such professional and other personnel as it deems necessary to provide the court proper diagnostic, clinical and treatment services for children [or persons seventeen years of age] under its jurisdiction.

211.181. 1. When a child [or person seventeen years of age] is found by the court to come within the applicable provisions of subdivision (1) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child [or person seventeen years of age], and the court may, by order duly entered, proceed as follows:

(1) Place the child [or person seventeen years of age] under supervision in his own home or in the custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child [or person seventeen years of age] to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes; except that, such child [or person seventeen years of age] may not be committed to the department of social services, division of youth services;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive the child [or person seventeen years of age] in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child [or person seventeen years of age] in a family home;

(4) Cause the child [or person seventeen years of age] to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child [or person seventeen years of age] requires it, cause the child [or person seventeen years of age] to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child [or person seventeen years of age] whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) The court may order, pursuant to subsection 2 of section 211.081, that the child receive the necessary services in the least restrictive appropriate environment including home and community-based services, treatment and support, based on a coordinated, individualized treatment plan. The individualized treatment plan shall be approved by the court and developed by the applicable state agencies responsible for providing or paying for any and all appropriate and necessary services, subject to appropriation, and shall include which agencies are going to pay for and provide such services. Such plan must be submitted to the court within thirty days and the child's family shall actively participate in designing the service plan for the child [or person seventeen years of age];

(6) The department of social services, in conjunction with the department of mental health, shall apply to the United States Department of Health and Human Services for such federal waivers as required to provide services for such children, including the acquisition of community-based services waivers.

2. When a child is found by the court to come within the provisions of subdivision (2) of subsection 1 of section 211.031, the court shall so decree and upon making a finding of fact upon which it exercises its jurisdiction over the child, the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his **or her** own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or place them in family homes; except that, a child may be committed to the department of social services, division of youth services, only if he **or she** is presently under the court's supervision after an adjudication under the provisions of subdivision (2) or (3) of subsection 1 of section 211.031;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child in a family home;

(4) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) Assess an amount of up to ten dollars to be paid by the child to the clerk of the court.

Execution of any order entered by the court pursuant to this subsection, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed.

3. When a child is found by the court to come within the provisions of subdivision (3) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child, and the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his or her own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require; provided that, no child who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566, RSMo, including but not limited to rape, forcible sodomy, child molestation, and sexual abuse, and in which the victim was a child, shall be placed in any residence within one thousand feet of the residence of the abused child of that offense until the abused child reaches the age of eighteen, and provided further that the provisions of this subdivision regarding placement within one thousand feet of the abused child shall not apply when the abusing child and the abused child are siblings or children living in the same home;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Beginning January 1, 1996, the court may make further directions as to placement with the division of youth services concerning the child's length of stay. The length of stay order may set forth a minimum review date;

(4) Place the child in a family home;

(5) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith

are providing other remedial treatment recognized or permitted under the laws of this state;

(6) Suspend or revoke a state or local license or authority of a child to operate a motor vehicle;

(7) Order the child to make restitution or reparation for the damage or loss caused by his **or her** offense. In determining the amount or extent of the damage, the court may order the juvenile officer to prepare a report and may receive other evidence necessary for such determination. The child and his **or her** attorney shall have access to any reports which may be prepared, and shall have the right to present evidence at any hearing held to ascertain the amount of damages. Any restitution or reparation ordered shall be reasonable in view of the child's ability to make payment or to perform the reparation. The court may require the clerk of the circuit court to act as receiving and disbursing agent for any payment ordered;

(8) Order the child to a term of community service under the supervision of the court or of an organization selected by the court. Every person, organization, and agency, and each employee thereof, charged with the supervision of a child under this subdivision, or who benefits from any services performed as a result of an order issued under this subdivision, shall be immune from any suit by the child ordered to perform services under this subdivision, or any person deriving a cause of action from such child, if such cause of action arises from the supervision of the child's performance of services under this subdivision and if such cause of action does not arise from an intentional tort. A child ordered to perform services under this subdivision shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo, nor shall the services of such child be deemed employment within the meaning of the provisions of chapter 288, RSMo. Execution of any order entered by the court, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed;

(9) When a child has been adjudicated to have violated a municipal ordinance or to have committed an act that would be a misdemeanor if committed by an adult, assess an amount of up to twenty-five dollars to be paid by the child to the clerk of the court; when a child has been adjudicated to have committed an act that would be a felony if committed by an adult, assess an amount of up to fifty dollars to be paid by the child to the clerk of the court.

4. Beginning January 1, 1996, the court may set forth in the order of commitment the minimum period during which the child shall remain in the custody of the division of youth services. No court order shall require a child to remain in the custody of the division of youth services for a period which exceeds the child's eighteenth birth date except upon petition filed by the division of youth services pursuant to subsection 1 of section 219.021, RSMo. In any order of commitment of a child to the custody of the division of youth services, the division shall determine the appropriate program or placement pursuant to subsection 3 of section 219.021, RSMo. Beginning January 1, 1996, the department shall not discharge a child from the custody of the division of youth services before the child completes the length of stay determined by the court in the commitment order unless the committing court orders otherwise. The director of the division of youth services may at any time petition the court for a review of a child's length of stay commitment order, and the court may, upon a showing of good cause, order the early discharge of the child from the custody of the division of youth services. The division may discharge the child from the division of youth services without a further court order after the child completes the length of stay determined by the court or may retain the child for any period after the completion of the length of stay in accordance with the law.

5. When an assessment has been imposed under the provisions of subsection 2 or 3 of this section, the assessment shall be paid to the clerk of the court in the circuit where the assessment is imposed by court

order, to be deposited in a fund established for the sole purpose of payment of judgments entered against children in accordance with section 211.185.

211.321. 1. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall not be open to inspection or their contents disclosed, except by order of the court to persons having a legitimate interest therein, unless a petition or motion to modify is sustained which charges the child with an offense which, if committed by an adult, would be a class A felony under the criminal code of Missouri, or capital murder, first degree murder, or second degree murder or except as provided in subsection 2 of this section. In addition, whenever a report is required under section 557.026, there shall also be included a complete list of certain violations of the juvenile code for which the defendant had been adjudicated a delinquent while a juvenile. This list shall be made available to the probation officer and shall be included in the presentence report. The violations to be included in the report are limited to the following: rape, sodomy, murder, kidnapping, robbery, arson, burglary or any acts involving the rendering or threat of serious bodily harm. The supreme court may promulgate rules to be followed by the juvenile courts in separating the records.

2. In all proceedings under subdivision (2) of subsection 1 of section 211.031, the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and shall be open to inspection only by order of the judge of the juvenile court or as otherwise provided by statute. In all proceedings under subdivision (3) of subsection 1 of section 211.031 the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and may be open to inspection without court order only as follows:

(1) The juvenile officer is authorized at any time:

(a) To provide information to or discuss matters concerning the child, the violation of law or the case with the victim, witnesses, officials at the child's school, law enforcement officials, prosecuting attorneys, any person or agency having or proposed to have legal or actual care, custody or control of the child, or any person or agency providing or proposed to provide treatment of the child. Information received pursuant to this paragraph shall not be released to the general public, but shall be released only to the persons or agencies listed in this paragraph;

(b) To make public information concerning the offense, the substance of the petition, the status of proceedings in the juvenile court and any other information which does not specifically identify the child or the child's family;

(2) After a child has been adjudicated delinquent pursuant to subdivision (3) of subsection 1 of section 211.031, for an offense which would be a felony if committed by an adult, the records of the dispositional hearing and proceedings related thereto shall be open to the public to the same extent that records of criminal proceedings are open to the public. However, the social summaries, investigations or updates in the nature of presentence investigations, and status reports submitted to the court by any treating agency or individual after the dispositional order is entered shall be kept confidential and shall be opened to inspection only by order of the judge of the juvenile court;

(3) As otherwise provided by statute;

(4) In all other instances, only by order of the judge of the juvenile court.

3. Peace officers' records, if any are kept, of children shall be kept separate from the records of persons

[seventeen] **eighteen** years of age or over and shall not be open to inspection or their contents disclosed, except by order of the court. This subsection does not apply to children who are transferred to courts of general jurisdiction as provided by section 211.071 or to juveniles convicted under the provisions of sections 578.421 to 578.437. This subsection does not apply to the inspection or disclosure of the contents of the records of peace officers for the purpose of pursuing a civil forfeiture action pursuant to the provisions of section 195.140.

4. Nothing in this section shall be construed to prevent the release of information and data to persons or organizations authorized by law to compile statistics relating to juveniles. The court shall adopt procedures to protect the confidentiality of children's names and identities.

5. The court may, either on its own motion or upon application by the child or his **or her** representative, or upon application by the juvenile officer, enter an order to destroy all social histories, records, and information, other than the official court file, and may enter an order to seal the official court file, as well as all peace officers' records, at any time after the child has reached his [seventeenth] **or her eighteenth** birthday if the court finds that it is in the best interest of the child that such action or any part thereof be taken, unless the jurisdiction of the court is continued beyond the child's [seventeenth] **eighteenth** birthday, in which event such action or any part thereof may be taken by the court at any time after the closing of the child's case.

6. Nothing in this section shall be construed to prevent the release of general information regarding the informal adjustment or formal adjudication of the disposition of a child's case to a victim or a member of the immediate family of a victim of any offense committed by the child. Such general information shall not be specific as to location and duration of treatment or detention or as to any terms of supervision.

7. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall be disclosed to the child fatality review panel reviewing the child's death pursuant to section 210.192 unless the juvenile court on its own motion, or upon application by the juvenile officer, enters an order to seal the records of the victim child.

211.421. 1. After any child has come under the care or control of the juvenile court as provided in this chapter, any person who thereafter encourages, aids, or causes the child to commit any act or engage in any conduct which would be injurious to the child's morals or health or who knowingly or negligently disobeys, violates or interferes with a lawful order of the court with relation to the child, is guilty of contempt of court, and shall be proceeded against as now provided by law and punished by imprisonment in the county jail for a term not exceeding six months or by a fine not exceeding five hundred dollars or by both such fine and imprisonment.

2. If it appears at a juvenile court hearing that any person [seventeen] **eighteen** years of age or over has violated section 568.045 or 568.050, RSMo, by endangering the welfare of a child, the judge of the juvenile court shall refer the information to the prosecuting or circuit attorney, as the case may be, for appropriate proceedings.

211.425. 1. Any person who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566 including, but not limited to, rape, forcible sodomy, child molestation and sexual abuse, shall be considered a juvenile sex offender and shall be required to register as a juvenile sex offender by complying with the registration requirements provided for in this section, unless such juvenile adjudicated as a delinquent is fourteen years of age or older at the time of the offense and the offense

adjudicated would be considered a felony under chapter 566 if committed by an adult, which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, including any attempt or conspiracy to commit such offense, in which case, the juvenile shall be required to register as an adult sexual offender under sections 589.400 to 589.425. This requirement shall also apply to any person who is or has been adjudicated a juvenile delinquent in any other state or federal jurisdiction for committing, attempting to commit, or conspiring to commit offenses which would be proscribed herein.

2. Any state agency having supervision over a juvenile required to register as a juvenile sex offender or any court having jurisdiction over a juvenile required to register as a juvenile sex offender, or any person required to register as a juvenile sex offender, shall, within ten days of the juvenile offender moving into any county of this state, register with the juvenile office of the county. If such juvenile offender changes residence or address, the state agency, court or person shall inform the juvenile office within ten days of the new residence or address and shall also be required to register with the juvenile office of any new county of residence. Registration shall be accomplished by completing a registration form similar to the form provided for in section 589.407. Such form shall include, but is not limited to, the following:

(1) A statement in writing signed by the juvenile, giving the juvenile's name, address, Social Security number, phone number, school in which enrolled, place of employment, offense which requires registration, including the date, place, and a brief description of such offense, date and place of adjudication regarding such offense, and age and gender of the victim at the time of the offense; and

(2) The fingerprints and a photograph of the juvenile.

3. Juvenile offices shall maintain the registration forms of those juvenile offenders in their jurisdictions who register as required by this section. Information contained on the registration forms shall be kept confidential and may be released by juvenile offices to only those persons and agencies who are authorized to receive information from juvenile court records as provided by law, including, but not limited to, those specified in section 211.321. State agencies having custody of juveniles who fall within the registration requirements of this section shall notify the appropriate juvenile offices when such juvenile offenders are being transferred to a location falling within the jurisdiction of such juvenile offices.

4. Any juvenile who is required to register pursuant to this section but fails to do so or who provides false information on the registration form is subject to disposition pursuant to this chapter. Any person [seventeen] **eighteen** years of age or over who commits such violation is guilty of a class A misdemeanor as provided for in section 211.431.

5. Any juvenile to whom the registration requirement of this section applies shall be informed by the official in charge of the juvenile's custody, upon the juvenile's discharge or release from such custody, of the requirement to register pursuant to this section. Such official shall obtain the address where such juvenile expects to register upon being discharged or released and shall report the juvenile's name and address to the juvenile office where the juvenile [will] **shall** be required to register. This requirement to register upon discharge or release from custody does not apply in situations where the juvenile is temporarily released under guard or direct supervision from a detention facility or similar custodial facility.

6. The requirement to register as a juvenile sex offender shall terminate upon the juvenile offender reaching age twenty-one, unless such juvenile offender is required to register as an adult offender pursuant to section 589.400.

211.431. Any person [seventeen] **eighteen** years of age or over who willfully violates, neglects or

refuses to obey or perform any lawful order of the court, or who violates any provision of this chapter is guilty of a class A misdemeanor.

221.044. No person under the age of [seventeen] **eighteen** years, except those transferred to the court of general jurisdiction under the provisions of section 211.071, shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of [seventeen] **eighteen** to a juvenile detention facility.

Section B. The repeal and reenactment of sections 211.021, 211.031, 211.032, 211.033, 211.041, 211.061, 211.071, 211.073, 211.081, 211.091, 211.101, 211.161, 211.181, 211.321, 211.421, 211.425, 211.431, and 221.044 of this act shall become effective on January 1, 2020.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend Senate Bill No. 50, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“190.142. 1. (1) For applications submitted before the recognition of EMS personnel licensure interstate compact under sections 334.1500 to 334.1539 takes effect, the department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician’s license; and

(2) For applications submitted after the recognition of EMS personnel licensure interstate compact under sections 334.1500 to 334.1539 takes effect, an applicant for initial licensure as an emergency medical technician in this state shall submit to a background check by the Missouri state highway patrol and the Federal Bureau of Investigation through a process approved by the department of health and senior services. Such processes may include the use of vendors or systems administered by the Missouri state highway patrol. The department may share the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 334.1500, of the recognition of EMS personnel licensure interstate compact. The department shall not issue a license until the department receives the results of an applicant’s criminal background check from the Missouri state highway patrol and the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a temporary license as provided under section 190.143. Any fees due for a criminal background check shall be paid by the applicant.

The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through

rules adopted pursuant to sections 190.001 to 190.245;

(3) Initial licensure testing requirements. Initial EMT-P licensure testing shall be through the national registry of EMTs or examinations developed and administered by the department of health and senior services;

(4) Continuing education and relicensure requirements; and

(5) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend said bill, Page 3, Section 194.600, Line 60, by inserting immediately after said section and line the following:

“334.1500. 1. The “Recognition of EMS Personnel Licensure Interstate Compact” (REPLICA) is hereby enacted into law and entered into with all other jurisdictions legally joining therein, in the form substantially as follows in sections 334.1500 to 334.1539.

2. As used in sections 334.1500 to 334.1539, the following terms mean: (1) “Advanced emergency medical technician” or “AEMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(2) “Adverse action”, any administrative, civil, equitable, or criminal action permitted by a state’s laws that may be imposed against licensed EMS personnel by a state EMS authority or state court including, but not limited to, actions against an individual’s license such as revocation, suspension, probation, consent agreement, monitoring or other limitation, or encumbrance on the individual’s practice, letters of reprimand or admonition, fines, criminal convictions, and state court judgments enforcing adverse actions by the state EMS authority;

(3) “Certification”, the successful verification of entry-level cognitive and psychomotor competency using a reliable, validated, and legally defensible examination;

(4) “Commission”, the national administrative body of which all states that have enacted the compact are members;

(5) “Emergency medical technician” or “EMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(6) “EMS”, emergency medical services;

(7) “Home state”, a member state where an individual is licensed to practice emergency medical services;

(8) “License”, the authorization by a state for an individual to practice as an EMT, AEMT, paramedic, or a level in between EMT and paramedic;

(9) “Medical director”, a physician licensed in a member state who is accountable for the care delivered by EMS personnel;

(10) “Member state”, a state that has enacted this compact;

(11) “Paramedic”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(12) “Privilege to practice”, an individual’s authority to deliver emergency medical services in remote states as authorized under this compact;

(13) “Remote state”, a member state in which an individual is not licensed;

(14) “Restricted”, the outcome of an adverse action that limits a license or the privilege to practice;

(15) “Rule”, a written statement by the interstate commission promulgated under section 334.1530 of this compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the compact; or is an organizational, procedural, or practice requirement of the commission and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule;

(16) “Scope of practice”, defined parameters of various duties or services that may be provided by an individual with specific credentials. Whether regulated by rule, statute, or court decision, it tends to represent the limits of services an individual may perform;

(17) “Significant investigatory information”:

(a) Investigative information that a state EMS authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would result in the imposition of an adverse action on a license or privilege to practice; or

(b) Investigative information that indicates that the individual represents an immediate threat to public health and safety, regardless of whether the individual has been notified and had an opportunity to respond;

(18) “State”, any state, commonwealth, district, or territory of the United States;

(19) “State EMS authority”, the board, office, or other agency with the legislative mandate to license EMS personnel.

334.1503. 1. Any member state in which an individual holds a current license shall be deemed a home state for purposes of this compact.

2. Any member state may require an individual to obtain and retain a license to be authorized to practice in the member state under circumstances not authorized by the privilege to practice under the terms of this compact.

3. A home state’s license authorizes an individual to practice in a remote state under the privilege to practice only if the home state:

(1) Currently requires the use of the National Registry of Emergency Medical Technicians (NREMT) examination as a condition of issuing initial licenses at the EMT and paramedic levels;

(2) Has a mechanism in place for receiving and investigating complaints about individuals;

(3) Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding an individual;

(4) No later than five years after activation of the compact, requires a criminal background check of all applicants for initial licensure, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, with the exception of federal employees who have suitability determination in accordance with 731 CFR 202 and submit documentation of such as promulgated in the rules of the commission; and

(5) Complies with the rules of the commission.

334.1506. 1. Member states shall recognize the privilege to practice of an individual licensed in another member state that is in conformance with section 334.1503.

2. To exercise the privilege to practice under the terms and provisions of this compact, an individual shall:

(1) Be at least eighteen years of age;

(2) Possess a current unrestricted license in a member state as an EMT, AEMT, paramedic, or state-recognized and licensed level with a scope of practice and authority between EMT and paramedic; and

(3) Practice under the supervision of a medical director.

3. An individual providing patient care in a remote state under the privilege to practice shall function within the scope of practice authorized by the home state unless and until modified by an appropriate authority in the remote state, as may be defined in the rules of the commission.

4. Except as provided in subsection 3 of this section, an individual practicing in a remote state shall be subject to the remote state’s authority and laws. A remote state may, in accordance with due process and that state’s laws, restrict, suspend, or revoke an individual’s privilege to practice in the remote state and may take any other necessary actions to protect the health and safety of its citizens. If a remote state takes action, it shall promptly notify the home state and the commission.

5. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

6. If an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

334.1509. An individual may practice in a remote state under a privilege to practice only in the performance of the individual's EMS duties as assigned by an appropriate authority, as defined in the rules of the commission, and under the following circumstances:

(1) The individual originates a patient transport in a home state and transports the patient to a remote state;

(2) The individual originates in the home state and enters a remote state to pick up a patient and provides care and transport of the patient to the home state;

(3) The individual enters a remote state to provide patient care or transport within that remote state;

(4) The individual enters a remote state to pick up a patient and provides care and transport to a third member state; or

(5) Other conditions as determined by rules promulgated by the commission.

334.1512. Upon a member state's governor's declaration of a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), all relevant terms and provisions of EMAC shall apply, and to the extent any terms or provisions of this compact conflict with EMAC, the terms of EMAC shall prevail with respect to any individual practicing in the remote state in response to such declaration.

334.1515. 1. Member states shall consider a veteran, active military service member, or member of the National Guard and Reserves separating from an active duty tour, or a spouse thereof, who holds a current, valid, and unrestricted NREMT certification at or above the level of the state license being sought as satisfying the minimum training and examination requirements for such licensure.

2. Member states shall expedite the process of licensure applications submitted by veterans, active military service members, or members of the National Guard and Reserves separating from an active duty tour, or their spouses.

3. All individuals functioning with a privilege to practice under this section remain subject to the adverse action provisions of section 334.1518.

334.1518. 1. A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state.

2. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

(1) All home state adverse action orders shall include a statement that the individual's compact privileges are inactive. The order may allow the individual to practice in remote states with prior

written authorization from both the home state and the remote state's EMS authority.

(2) An individual currently subject to adverse action in the home state shall not practice in any remote state without prior written authorization from both the home state and remote state's EMS authority.

3. A member state shall report adverse actions and any occurrences that the individual's compact privileges are restricted, suspended, or revoked to the commission in accordance with the rules of the commission.

4. A remote state may take adverse action on an individual's privilege to practice within that state.

5. Any member state may take adverse action against an individual's privilege to practice in that state based on the factual findings of another member state, so long as each state follows its own procedures for imposing such adverse action.

6. A home state's EMS authority shall coordinate investigative activities, share information via the coordinated database, and take appropriate action with respect to reported conduct in a remote state as it would if such conduct had occurred within the home state. In such cases, the home state's law shall control in determining the appropriate adverse action.

7. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states shall require individuals who enter any alternative programs to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

334.1521. A member state's EMS authority, in addition to any other powers granted under state law, is authorized under this compact to:

(1) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a member state's EMS authority for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the remote state by any court of competent jurisdiction according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing state's EMS authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses or evidence is located; and

(2) Issue cease and desist orders to restrict, suspend, or revoke an individual's privilege to practice in the state.

334.1524. 1. The compact states hereby create and establish a joint public agency known as the "Interstate Commission for EMS Personnel Practice".

(1) The commission is a body politic and an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

2. Each member state shall have and be limited to one delegate. The responsible official of the state EMS authority or his or her designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state will determine which entity will be responsible for assigning the delegate.

(1) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws, and shall otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(2) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(3) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 334.1530.

(4) The commission may convene in a closed, nonpublic meeting if the commission must discuss:

(a) Noncompliance of a member state with its obligations under the compact;

(b) The employment, compensation, discipline or other personnel matters, practices, or procedures related to specific employees, or other matters related to the commission's internal personnel practices and procedures;

(c) Current, threatened, or reasonably anticipated litigation;

(d) Negotiation of contracts for the purchase or sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring any person;

(f) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(g) Disclosure of information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) Disclosure of investigatory records compiled for law enforcement purposes;

(i) Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(j) Matters specifically exempted from disclosure by federal or member state statute.

(5) If a meeting or portion of a meeting is closed under this section, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action

shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

3. The commission shall, by a majority vote of the delegates, prescribe bylaws and rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact including, but not limited to:

(1) Establishing the fiscal year of the commission;

(2) Providing reasonable standards and procedures:

(a) For the establishment and meetings of other committees; and

(b) Governing any general or specific delegation of any authority or function of the commission;

(3) Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings, and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the membership votes to close a meeting in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting revealing the vote of each member with no proxy votes allowed;

(4) Establishing the titles, duties and authority, and reasonable procedures for the election of the officers of the commission;

(5) Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any member state, the bylaws shall exclusively govern the personnel policies and programs of the commission;

(6) Promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;

(7) Providing a mechanism for winding up the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of the compact after the payment or reserving of all of its debts and obligations;

(8) The commission shall publish its bylaws and file a copy thereof, and a copy of any amendment thereto, with the appropriate agency or officer in each of the member states, if any;

(9) The commission shall maintain its financial records in accordance with the bylaws; and

(10) The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

4. The commission shall have the following powers:

(1) To promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding on all member states;

(2) To bring and prosecute legal proceedings or actions in the name of the commission; provided

that, the standing of any state EMS authority or other regulatory body responsible for EMS personnel licensure to sue or be sued under applicable law shall not be affected;

(3) To purchase and maintain insurance and bonds;

(4) To borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state;

(5) To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(6) To accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that, at all times the commission shall strive to avoid any appearance of impropriety and conflict of interest;

(7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed; provided that, at all times the commission shall strive to avoid any appearance of impropriety;

(8) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(9) To establish a budget and make expenditures;

(10) To borrow money;

(11) To appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(12) To provide and receive information from, and to cooperate with, law enforcement agencies;

(13) To adopt and use an official seal; and

(14) To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of EMS personnel licensure and practice.

5. (1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(3) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which shall be in a total amount sufficient to cover its annual budget as approved each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by

and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

6. (1) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim, damage to or loss of property, personal injury, or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional, willful, or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of the person.

334.1527. 1. The commission shall provide for the development and maintenance of a coordinated database and reporting system containing licensure, adverse action, and significant investigatory information on all licensed individuals in member states.

2. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the coordinated database on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- (1) Identifying information;
- (2) Licensure data;
- (3) Significant investigatory information;
- (4) Adverse actions against an individual's license;
- (5) An indicator that an individual's privilege to practice is restricted, suspended, or revoked;

(6) Nonconfidential information related to alternative program participation;

(7) Any denial of application for licensure and the reasons for such denial; and

(8) Other information that may facilitate the administration of this compact, as determined by the rules of the commission.

3. The coordinated database administrator shall promptly notify all member states of any adverse action taken against, or significant investigative information on, any individual in a member state.

4. Member states contributing information to the coordinated database may designate information that shall not be shared with the public without the express permission of the contributing state.

5. Any information submitted to the coordinated database that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the coordinated database.

334.1530. 1. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

2. If a majority of the legislatures of the member states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any member state.

3. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

4. Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty days in advance of the meeting at which the rule or rules will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

(1) On the website of the commission; and

(2) On the website of each member state's EMS authority or the publication in which each state would otherwise publish proposed rules.

5. The notice of proposed rulemaking shall include:

(1) The proposed time, date, and location of the meeting at which the rule will be considered and voted upon;

(2) The text of the proposed rule or amendment and the reason for the proposed rule;

(3) A request for comments on the proposed rule from any interested person; and

(4) The manner in which interested parties may submit notice to the commission of their intention to attend the public hearing and any written comments.

6. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments that shall be made available to the public.

7. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

(1) At least twenty-five persons;

(2) A governmental subdivision or agency; or

(3) An association having at least twenty-five members.

8. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subdivision shall not preclude the commission from making a transcript or recording of the hearing if it so chooses.

(4) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

10. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

11. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

12. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing; provided that, the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be adopted immediately in order to:

(1) Meet an imminent threat to public health, safety, or welfare;

(2) Prevent a loss of commission or member state funds;

(3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or

(4) Protect public health and safety.

13. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results

in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

334.1533. 1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceedings in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

4. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(1) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, or any other action to be taken by the commission; and

(2) Provide remedial training and specific technical assistance regarding the default.

5. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

6. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

7. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

8. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact unless agreed upon in writing between the commission and the defaulting state.

9. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

10. Upon a request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

11. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

12. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

13. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

14. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

334.1536. 1. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

2. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

3. Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's EMS authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

4. Nothing contained in this compact shall be construed to invalidate or prevent any EMS personnel licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

5. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

334.1539. This compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the constitution of any member state thereto, the compact shall remain in full force and effect as to the remaining member states. Nothing in this compact supersedes state law or rules related to licensure of EMS agencies.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to Senate Bill No. 50, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“”190.053. 1. All members of the board of directors of an ambulance district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of an ambulance district. The training required under this section shall be offered by a statewide association organized for the benefit of ambulance districts or be approved by the state advisory council on emergency medical services. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of an ambulance district director;
- (2) A review of all state statutes and regulations relevant to ambulance districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any ambulance district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. **If any ambulance district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member.**

190.241. 1. The department shall designate a hospital as an adult, pediatric or adult and”; and

Further amend said amendment, Page 4, Line 26, by inserting after all of said line the following:

“Further amend said bill, Page 3, Section 194.600, Line 60, by inserting immediately after said section and line the following:

“320.097. 1. As used in this section, “fire department” means any agency or organization that provides fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, dispatching, or special operations to a population within a fixed and legally recorded geographical area.

2. No employee of a fire department who has worked for seven years for such department shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department’s geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee’s employment. Employees who have satisfied the seven-year requirement in this subsection and who choose to reside outside the geographical boundaries of the department shall reside within a one-hour response time. No charter school shall be deemed a public school

for purposes of this section.

3. No employee of a fire department who has not resided in such fire department's fixed and legally recorded geographical area, or who has changed such employee's residency because of conditions described in subsection 2 of this section, shall as a condition of employment be required to reside within the fixed and legally recorded geographical area of the fire department if such school district subsequently becomes fully accredited.

4. No employee of a fire department who does not receive a salary shall be required to live in a fire department's fixed and legally recorded geographical area.

320.098. No county shall require attendance at a specific training academy by any candidate for a firefighter position.

321.017. 1. Notwithstanding the provisions of section 321.015, no employee of any fire protection district or ambulance district shall serve as a member of any fire district or ambulance district board while such person is employed by any fire district or ambulance district, except that an employee of a fire protection district or an ambulance district may serve as a member of a voluntary fire protection district board or a voluntary ambulance district board.

2. Notwithstanding any other provision of law to the contrary, individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board unless such employment is on a volunteer basis or without compensation.

3. Notwithstanding any provision of law to the contrary, no fire protection district or ambulance district shall require an employee who does not receive a salary to live within the district.

321.162. 1. All members of the board of directors of a fire protection district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of a fire protection district director;
- (2) A review of all state statutes and regulations relevant to fire protection districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. **If any fire protection district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member.**

321.200. 1. Except as otherwise provided in subsection 3 **of this section**, the board shall meet regularly, not less than once each month, at a time and at some building in the district to be designated by the board. Notice of the time and place of future regular meetings shall be posted continuously at the firehouse or firehouses of the district. Additional meetings may be held, when the needs of the district so require, at a place regular meetings are held, and notice of the time and place shall be given to each member of the board. Meetings of the board shall be held and conducted in the manner required by the provisions of chapter 610. All minutes of meetings of the board and all other records of the fire protection district shall be available for public inspection at the main firehouse within the district by appointment with the secretary of the board within one week after a written request is made between the hours of 8:00 a.m. and 5:00 p.m. every day except Sunday. A majority of the members of the board shall constitute a quorum at any meeting and no business shall be transacted unless a quorum is present. The board, acting as a board, shall exercise all powers of the board, without delegation thereof to any other governmental or other body or entity or association, and without delegation thereof to less than a quorum of the board. Agents, employees, engineers, auditors, attorneys, firemen and any other member of the staff of the district may be employed or discharged only by a board which includes at least two directors; but any board of directors may suspend from duty any such person or staff member who willfully and deliberately neglects or refuses to perform his or her regular functions.

2. Any vacancy on the board shall be filled by the remaining elected members of the board, except when less than two elected members remain on the board any vacancy shall be filled by the circuit court of the county in which all or a majority of the district lies. The appointee or appointees shall act until the next biennial election at which a director or directors are elected to serve the remainder of the unexpired term.

3. Notwithstanding any provision of sections 610.015 and 610.020 to the contrary, when Missouri Task Force One or any Urban Search and Rescue Task Force is activated for deployment by the federal emergency management agency, state emergency management agency, or statewide mutual aid, a quorum of the board of directors of the affiliated fire protection district may meet in person, via telephone, facsimile, internet, or any other voice or electronic means, without public notice, in order to authorize by roll call vote the disbursement of funds necessary for the deployment.

4. In the event action is necessary under subsection 3 of this section, the board of directors of the affiliated fire protection district shall keep minutes of the emergency meeting and disclose during the next regularly scheduled meeting of the board that the emergency meeting was held, the action that precipitated calling the emergency meeting without notice, and that the minutes of the emergency meeting are available as a public record of the board.

5. Members of a fire district or ambulance district board of directors shall only receive compensation for meetings the member attended. If multiple meetings occur on the same day, members shall not receive compensation for more than one meeting.

590.025. No law enforcement agency shall require an employee who does not receive a salary to live within a jurisdiction more specific than this state.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend Senate Bill No. 50, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“190.241. 1. The department shall designate a hospital as an adult, pediatric or adult and pediatric trauma center when a hospital, upon proper application submitted by the hospital and site review, has been found by the department to meet the applicable level of trauma center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185. **Such rules shall include designation as a trauma center without site review if such hospital is verified by a national verifying or designating body at the level which corresponds to a level approved in rule.**

2. Except as provided for in subsection [4] 5 of this section, the department shall designate a hospital as a STEMI or stroke center when such hospital, upon proper application and site review, has been found by the department to meet the applicable level of STEMI or stroke center criteria for designation in accordance with rules adopted by the department as prescribed by section 190.185. In developing STEMI center and stroke center designation criteria, the department shall use, as it deems practicable, appropriate peer-reviewed or evidence-based research on such topics including, but not limited to, the most recent guidelines of the American College of Cardiology and American Heart Association for STEMI centers, or the Joint Commission’s Primary Stroke Center Certification program criteria for stroke centers, or Primary and Comprehensive Stroke Center Recommendations as published by the American Stroke Association. **Such rules shall include designation as a STEMI center without site review if such hospital is certified by a national body.**

3. The department of health and senior services shall, not less than once every five years, conduct an on-site review of every trauma, STEMI, and stroke center through appropriate department personnel or a qualified contractor, with the exception of stroke centers designated pursuant to subsection [4] 5 of this section; however, this provision is not intended to limit the department’s ability to conduct a complaint investigation pursuant to subdivision (3) of subsection 2 of section 197.080 of any trauma, STEMI, or stroke center. On-site reviews shall be coordinated for the different types of centers to the extent practicable with hospital licensure inspections conducted under chapter 197. No person shall be a qualified contractor for purposes of this subsection who has a substantial conflict of interest in the operation of any trauma, STEMI, or stroke center under review. The department may deny, place on probation, suspend or revoke such designation in any case in which it has reasonable cause to believe that there has been a substantial failure to comply with the provisions of this chapter or any rules or regulations promulgated pursuant to this chapter. If the department of health and senior services has reasonable cause to believe that a hospital is not in compliance with such provisions or regulations, it may conduct additional announced or unannounced site reviews of the hospital to verify compliance. If a trauma, STEMI, or stroke center fails two consecutive on-site reviews because of substantial noncompliance with standards prescribed by sections 190.001 to 190.245 or rules adopted by the department pursuant to sections 190.001 to 190.245, its center designation shall be revoked.

4. Instead of applying for STEMI center designation under subsection 2 of this section, a hospital may apply for STEMI center designation under this subsection. Upon receipt of an application from a hospital on a form prescribed by the department, the department shall designate such hospital:

(1) A level I STEMI center if such hospital has been certified as a Joint Commission Comprehensive Cardiac Center or another department-approved nationally-recognized organization that provides comparable STEMI center accreditation; or

(2) A level II STEMI center if such hospital has been accredited as a Mission: Lifeline STEMI receiving center by the American Heart Association accreditation process or another department-

approved nationally-recognized organization that provides STEMI receiving center accreditation.

5. Instead of applying for stroke center designation pursuant to the provisions of subsection 2 of this section, a hospital may apply for stroke center designation pursuant to this subsection. Upon receipt of an application from a hospital on a form prescribed by the department, the department shall designate such hospital:

(1) A level I stroke center if such hospital has been certified as a comprehensive stroke center by the Joint Commission or any other certifying organization designated by the department when such certification is in accordance with the American Heart Association/American Stroke Association guidelines;

(2) A level II stroke center if such hospital has been certified as a primary stroke center by the Joint Commission or any other certifying organization designated by the department when such certification is in accordance with the American Heart Association/American Stroke Association guidelines; or

(3) A level III stroke center if such hospital has been certified as an acute stroke-ready hospital by the Joint Commission or any other certifying organization designated by the department when such certification is in accordance with the American Heart Association/American Stroke Association guidelines.

Except as provided by subsection [5] 6 of this section, the department shall not require compliance with any additional standards for establishing or renewing stroke designations. The designation shall continue if such hospital remains certified. The department may remove a hospital's designation as a stroke center if the hospital requests removal of the designation or the department determines that the certificate recognizing the hospital as a stroke center has been suspended or revoked. Any decision made by the department to withdraw its designation of a stroke center pursuant to this subsection that is based on the revocation or suspension of a certification by a certifying organization shall not be subject to judicial review. The department shall report to the certifying organization any complaint it receives related to the stroke center certification of a stroke center designated pursuant to this subsection. The department shall also advise the complainant which organization certified the stroke center and provide the necessary contact information should the complainant wish to pursue a complaint with the certifying organization.

[5.] 6. Any hospital receiving designation as a stroke center pursuant to subsection [4] 5 of this section shall:

(1) Annually and within thirty days of any changes submit to the department proof of stroke certification and the names and contact information of the medical director and the program manager of the stroke center;

(2) Submit to the department a copy of the certifying organization's final stroke certification survey results within thirty days of receiving such results;

(3) Submit every four years an application on a form prescribed by the department for stroke center review and designation;

(4) Participate in the emergency medical services regional system of stroke care in its respective emergency medical services region as defined in rules promulgated by the department;

(5) Participate in local and regional emergency medical services systems by reviewing and sharing outcome data and providing training and clinical educational resources.

Any hospital receiving designation as a level III stroke center pursuant to subsection [4] 5 of this section

shall have a formal agreement with a level I or level II stroke center for physician consultative services for evaluation of stroke patients for thrombolytic therapy and the care of the patient post-thrombolytic therapy.

[6.] **7.** Hospitals designated as a STEMI or stroke center by the department, including those designated pursuant to subsection [4] **5** of this section, shall submit data to meet the data submission requirements specified by rules promulgated by the department. Such submission of data may be done by the following methods:

(1) Entering hospital data directly into a state registry by direct data entry;

(2) Downloading hospital data from a nationally recognized registry or data bank and importing the data files into a state registry; or

(3) Authorizing a nationally recognized registry or data bank to disclose or grant access to the department facility-specific data held by the registry or data bank.

A hospital submitting data pursuant to subdivision (2) or (3) of this subsection shall not be required to collect and submit any additional STEMI or stroke center data elements.

[7.] **8.** When collecting and analyzing data pursuant to the provisions of this section, the department shall comply with the following requirements:

(1) Names of any health care professionals, as defined in section 376.1350, shall not be subject to disclosure;

(2) The data shall not be disclosed in a manner that permits the identification of an individual patient or encounter;

(3) The data shall be used for the evaluation and improvement of hospital and emergency medical services' trauma, stroke, and STEMI care;

(4) The data collection system shall be capable of accepting file transfers of data entered into any national recognized trauma, stroke, or STEMI registry or data bank to fulfill trauma, stroke, or STEMI certification reporting requirements; **and**

(5) STEMI and stroke center data elements shall conform to nationally recognized performance measures, such as the American Heart Association's Get With the Guidelines, and include published detailed measure specifications, data coding instructions, and patient population inclusion and exclusion criteria to ensure data reliability and validity[; and

(6) Generate from the trauma, stroke, and STEMI registries quarterly regional and state outcome data reports for trauma, stroke, and STEMI designated centers, the state advisory council on EMS, and regional EMS committees to review for performance improvement and patient safety].

[8.] **9.** The board of registration for the healing arts shall have sole authority to establish education requirements for physicians who practice in an emergency department of a facility designated as a trauma, STEMI, or stroke center by the department under this section. The department shall deem such education requirements promulgated by the board of registration for the healing arts sufficient to meet the standards for designations under this section.

[9.] **10.** The department of health and senior services may establish appropriate fees to offset the costs of trauma, STEMI, and stroke center reviews.

[10.] **11.** No hospital shall hold itself out to the public as a STEMI center, stroke center, adult trauma

center, pediatric trauma center, or an adult and pediatric trauma center unless it is designated as such by the department of health and senior services.

[11.] **12.** Any person aggrieved by an action of the department of health and senior services affecting the trauma, STEMI, or stroke center designation pursuant to this chapter, including the revocation, the suspension, or the granting of, refusal to grant, or failure to renew a designation, may seek a determination thereon by the administrative hearing commission under chapter 621. It shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department.

190.242. 1. In order to ensure that hospitals can be free from excessive regulation that increases health care costs without increasing patient safety, any rules and regulations promulgated by the department of health and senior services under sections 190.185, 190.241, and 192.006, chapter 197, or any other provision of Missouri law shall not require hospitals, as a condition of designation under section 190.241, to obtain emergency medical services data under section 190.241, unless such data may be obtained from the state database for emergency medical services. The provisions of this subsection shall not be construed to limit in any way the requirements of any person or entity to submit emergency medical services data to any person or entity.

2. A hospital shall not be required to comply with an interpretation of a specific provision in any regulation concerning trauma, STEMI, or stroke centers if such hospital can demonstrate that the specific provision in the regulation has been interpreted differently for a similarly-situated hospital. The department may require compliance if the specific provision in the regulation has been subsequently interpreted consistently for similarly-situated hospitals.

3. The department shall attend meetings with trauma, STEMI, and stroke centers for the benefit of improved communication, best-practice identification, and facilitation of improvements to the designation process.

4. As used in this section, the term “hospital” shall have the same meaning as in section 197.020.”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend Senate Bill No. 50, Page 3, Section 194.600, Line 60, by inserting the following after all of said section and line:

“335.099. Any licensed practical nurse, as defined in section 335.016:

(1) Who is an approved instructor for the level 1 medication aid program shall be qualified to teach the insulin administration course under chapter 198;

(2) Shall be qualified to perform diabetic nail care and monthly onsite reviews of basic personal care recipients, as required by the department of social services, of a resident of a residential care facility or assisted living facility, as defined in chapter 198;

(3) Shall be qualified to perform dietary oversight, as required by the department of health and senior services, of a resident of a residential care facility or assisted living facility, as defined in chapter 198.

2. A licensed practical nurse, as defined in section 335.016, may perform the monthly on-site visits

of basic personal care recipients required by MO HealthNet division regulations without the supervision of a registered nurse and may provide nail care for a diabetic or person with other medically contraindicating conditions without the direction of a registered nurse, pursuant to the Mo HealthNet Personal Care Program, and the lack of supervision or direction by a registered nurse of such tasks shall not, directly or indirectly, affect the eligibility of a residential care facility or assisted living facility to participate in such program as a provider or to receive reimbursement for services.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 12

Amend House Amendment No. 12 to Senate Bill No. 50, Page 2, Line 23, by deleting said line and inserting lieu thereof the following:

“child, and a person who is an adult and who has been trained to handle the service dog.

337.010. As used in sections 337.010 to 337.090 the following terms mean:

- (1) “Committee”, the state committee of psychologists;
- (2) “Department”, the department of insurance, financial institutions and professional registration;
- (3) “Division”, the division of professional registration;

(4) “Internship”, any supervised hours that occur during a formal internship of twelve to twenty-four months after all academic course work toward a doctorate has been completed but prior to completion of the full degree. Internship is part of successful completion of a doctorate in psychology, and a person cannot earn his or her doctorate without completion of an internship;

(5) “Licensed psychologist”, any person who offers to render psychological services to individuals, groups, organizations, institutions, corporations, schools, government agencies or the general public for a fee, monetary or otherwise, implying that such person is trained, experienced and licensed to practice psychology and who holds a current and valid, whether temporary, provisional or permanent, license in this state to practice psychology;

(6) “Postdoctoral experiences”, experiences that follow the completion of a person’s doctoral degree. Such person shall not be licensed until he or she satisfies additional supervised hours. Postdoctoral experiences shall include any supervised clinical activities following the completion of the doctoral degree;

(7) “Predoctoral postinternship”, any supervised hours that occur following completion of the internship but prior to completing the degree. Such person may continue to provide supervised clinical services even after his or her internship is completed and while still completing his or her doctoral degree requirements;

(8) “Preinternship”, any supervised hours acquired as a student or in the course of seeking a doctorate in psychology but before the internship, which includes supervised practicum;

[(5)] (9) “Provisional licensed psychologist”, any person who is a graduate of a recognized educational institution with a doctoral degree in psychology as defined in section 337.025, and who otherwise meets

all requirements to become a licensed psychologist except for passage of the licensing exams, oral examination and completion of the required period of postdegree supervised experience as specified in subsection 2 of section 337.025;

[(6)] **(10)** “Recognized educational institution”:

(a) A school, college, university or other institution of higher learning in the United States, which, at the time the applicant was enrolled and graduated, had a graduate program in psychology and was accredited by one of the regional accrediting associations approved by the Council on Postsecondary Accreditation; or

(b) A school, college, university or other institution of higher learning outside the United States, which, at the time the applicant was enrolled and graduated, had a graduate program in psychology and maintained a standard of training substantially equivalent to the standards of training of those programs accredited by one of the regional accrediting associations approved by the Council of Postsecondary Accreditation;

[(7)] **(11)** “Temporary license”, a license which is issued to a person licensed as a psychologist in another jurisdiction, who has applied for licensure in this state either by reciprocity or endorsement of the score from the Examination for Professional Practice in Psychology, and who is awaiting either a final determination by the committee relative to such person’s eligibility for licensure or who is awaiting the results of the jurisprudence examination or oral examination.

337.025. 1. The provisions of this section shall govern the education and experience requirements for initial licensure as a psychologist for the following persons:

(1) A person who has not matriculated in a graduate degree program which is primarily psychological in nature on or before August 28, 1990; and

(2) A person who is matriculated after August 28, 1990, in a graduate degree program designed to train professional psychologists.

2. Each applicant shall submit satisfactory evidence to the committee that the applicant has received a doctoral degree in psychology from a recognized educational institution, and has had at least one year of satisfactory supervised professional experience in the field of psychology. 3. A doctoral degree in psychology is defined as:

(1) A program accredited, or provisionally accredited, by the American Psychological Association **or the Canadian Psychological Association**; or

(2) A program designated or approved, including provisional approval, by the [American] Association of State **and Provincial** Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A graduate program that meets all of the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(b) The psychology program shall stand as a recognizable, coherent organizational entity within the institution of higher education;

(c) There shall be a clear authority and primary responsibility for the core and specialty areas whether

or not the program cuts across administrative lines;

(d) The program shall be an integrated, organized, sequence of study;

(e) There shall be an identifiable psychology faculty and a psychologist responsible for the program;

(f) The program shall have an identifiable body of students who are matriculated in that program for a degree;

(g) The program shall include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology;

(h) The curriculum shall encompass a minimum of three academic years of full-time graduate study, with a minimum of one year's residency at the educational institution granting the doctoral degree; and

(i) Require the completion by the applicant of a core program in psychology which shall be met by the completion and award of at least one three-semester-hour graduate credit course or a combination of graduate credit courses totaling three semester hours or five quarter hours in each of the following areas:

a. The biological bases of behavior such as courses in: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

b. The cognitive-affective bases of behavior such as courses in: learning, thinking, motivation, emotion, and cognitive psychology;

c. The social bases of behavior such as courses in: social psychology, group processes/dynamics, interpersonal relationships, and organizational and systems theory;

d. Individual differences such as courses in: personality theory, human development, abnormal psychology, developmental psychology, child psychology, adolescent psychology, psychology of aging, and theories of personality;

e. The scientific methods and procedures of understanding, predicting and influencing human behavior such as courses in: statistics, experimental design, psychometrics, individual testing, group testing, and research design and methodology.

4. Acceptable supervised professional experience **may be accrued through preinternship, internship, predoctoral postinternship, or postdoctoral experiences. The academic training director or the postdoctoral training supervisor shall attest to the hours accrued to meet the requirements of this section. Such hours** shall consist of:

(1) A minimum of fifteen hundred hours of [professional] experience [obtained] in a successfully completed internship to be completed in not less than twelve nor more than twenty-four [consecutive calendar] months; **and**

(2) A minimum of two thousand hours of experience consisting of any combination of the following:

(a) Preinternship and predoctoral postinternship professional experience that occurs following the completion of the first year of the doctoral program or at any time while in a doctoral program after completion of a master's degree in psychology or equivalent as defined by rule by the committee;

(b) Up to seven hundred fifty hours obtained while on the internship under subdivision (1) of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this subsection; or

(c) Postdoctoral professional experience obtained in no more than twenty-four consecutive calendar months. In no case shall this experience be accumulated at a rate of [less than twenty hours per week nor] more than fifty hours per week. Postdoctoral supervised professional experience for prospective health service providers **and other applicants** shall involve and relate to the delivery of psychological [health] services[. Postdoctoral supervised professional experience for other applicants shall be] in accordance with professional requirements and relevant to the applicant's intended area of practice.

5. [Postdoctoral] Experience for those applicants who intend to seek health service provider certification and who have completed a program in one or more of the American Psychological Association designated health service provider delivery areas shall be obtained under the primary supervision of a licensed psychologist who is also a health service provider or who otherwise meets the requirements for health service provider certification. [Postdoctoral] Experience for those applicants who do not intend to seek health service provider certification shall be obtained under the primary supervision of a licensed psychologist or such other qualified mental health professional approved by the committee.

6. **For postinternship and postdoctoral hours,** the psychological activities of the applicant shall be performed pursuant to the primary supervisor's order, control, and full professional responsibility. The primary supervisor shall maintain a continuing relationship with the applicant and shall meet with the applicant a minimum of one hour per month in face-to-face individual supervision. Clinical supervision may be delegated by the primary supervisor to one or more secondary supervisors who are qualified psychologists. The secondary supervisors shall retain order, control, and full professional responsibility for the applicant's clinical work under their supervision and shall meet with the applicant a minimum of one hour per week in face-to-face individual supervision. If the primary supervisor is also the clinical supervisor, meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable for supervised professional experience. The primary supervisor shall certify to the committee that the applicant has complied with these requirements and that the applicant has demonstrated ethical and competent practice of psychology. The changing by an agency of the primary supervisor during the course of the supervised experience shall not invalidate the supervised experience.

7. The committee by rule shall provide procedures for exceptions and variances from the requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and other good causes.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 12

Amend Senate Bill No. 50, Page 3, Section 194.600, Line 60, by inserting after all of said section and line the following:

“209.150. 1. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public

accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the right to be accompanied by a guide dog, hearing dog, or service dog, **as defined in section 209.200**, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term “service dog” [means any dog specifically trained to assist a person with a physical or mental disability by performing necessary tasks or doing work which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, carrying supplies, and search and rescue of an individual with a disability] **shall be as defined in section 209.200.**

209.200. As used in sections [209.200] **209.150** to 209.204, not to exceed the provisions of the Americans With Disabilities Act, the following terms shall mean:

- (1) “Disability”, as defined in section 213.010 including diabetes;
- (2) “Service dog”, a dog that is being or has been specially trained to do work or perform tasks which benefit a particular person with a disability. Service dog includes but is not limited to:
 - (a) “Guide dog”, a dog that is being or has been specially trained to assist a particular blind or visually impaired person;
 - (b) “Hearing dog”, a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;
 - (c) “Medical alert or [respond] **response dog**”, a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;
 - (d) **“Mental health service dog” or “psychiatric service dog”, a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition, or developmental disability recognized in the most recently published Diagnostic and Statistical Manual of Mental Disorders (DSM) to perform tasks that mitigate or assist with difficulties including, but not limited to, alerting or responding to episodes such as panic attacks and anxiety and performing other tasks directly related to the owner’s psychiatric disability, medical condition, or developmental disability including, but not limited to, autism spectrum disorder, epilepsy, major depressive disorder, bipolar disorder, Alzheimer’s disease, dementia, post-traumatic stress disorder (PTSD), anxiety disorder, obsessive compulsive disorder, schizophrenia, and other mental illnesses and invisible disabilities;**
 - (e) “Mobility dog”, a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments;
 - [(e)] **(f) “Professional therapy dog”, a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler’s occupation or profession. Such dogs, with their handlers,**

perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy;

[(f)] (g) “Search and rescue dog”, a dog that is being or has been trained to search for or prevent a person with a mental disability, including but not limited to verbal and nonverbal autism, from becoming lost;

(3) “Service dog team”, a team consisting of a trained service dog, a disabled person or child, and a person who is an adult and who has been trained to handle the service dog.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 13

Amend Senate Bill No. 50, Page 3, Section 194.600, Line 60, by inserting after all of said section and line the following:

“208.1070. 1. For purposes of this section, the term “long-acting reversible contraceptive (LARC)” shall include, but not be limited to, intrauterine devices (IUDs) and birth control implants.

2. Notwithstanding any other provision of law, any LARC that is prescribed to and obtained for a MO HealthNet participant may be transferred to another MO HealthNet participant if the LARC was not delivered to, implanted in, or used on the original MO HealthNet participant to whom the LARC was prescribed. In order to be transferred to another MO HealthNet participant under the provisions of this section, the LARC shall:

(1) Be in the original, unopened package;

(2) Have been in the possession of the health care provider for at least twelve weeks. The provisions of this subdivision may be waived upon the written consent of the original MO HealthNet participant to whom the LARC was prescribed;

(3) Not have left the possession of the health care provider who originally prescribed the LARC; and

(4) Be medically appropriate and not contraindicated for the MO HealthNet participant to whom the LARC is being transferred.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 14

Amend Senate Bill No. 50, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“191.250. 1. This section shall be known and may be cited as “Simon’s Law”.

2. As used in this section the following terms shall mean:

(1) “Life-sustaining”, procedures, food, medication, or nutrition are life-sustaining if, in reasonable medical judgment, the withdrawal or withholding of such procedures, food, medication,

or nutrition would result in or hasten the death of the patient;

(2) “Reasonable medical judgment”, a medical judgment that would be made by a reasonably prudent physician who is knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

3. Upon the request of a patient or resident or a prospective patient or resident, a health care facility, nursing home, or physician shall disclose in writing any policies relating to a patient or resident or the services a patient or resident may receive involving life-sustaining treatment, including any policies related to health care deemed futile, inappropriate, or non-beneficial, within the health care facility or agency.

4. No health care facility, nursing home, physician, nurse, or medical staff shall withhold life-sustaining procedures, food, medication, or nutrition, nor place any restrictions on life-sustaining procedures including, but not limited to, food, medication, or nutrition for any patient, resident, or ward under eighteen years of age who is not emancipated without the written permission of at least one parent or legal guardian of the patient or ward.

5. No do-not-resuscitate order or similar physician’s order shall be instituted either orally or in writing without the written permission of at least one parent or legal guardian of the patient or resident or prospective patient or resident under eighteen years of age who is not emancipated.

6. Permission previously given under subsection 4 or 5 of this section may be revoked in writing by the legal guardian or either parent of the patient. If the parents are unable to agree to withhold life-sustaining procedures, food, medication, nutrition, or resuscitation, either parent may petition a district court of the county in which the patient resides or in which the patient is receiving treatment to resolve the conflict based on a presumption in favor of the provision of life-sustaining procedures, food, medication, nutrition, and resuscitation, unless there is clear and convincing evidence that such provision is contrary to the best interests of the child. Upon receiving such a petition, the district court shall issue an order fixing the date, time, and place of the trial on the petition and order that notice of the trial shall be given to such persons as the court shall direct. The trial may be held forthwith and without notice, if the court determines that holding a trial forthwith and without notice is in the best interests of the petitioner. In the court’s discretion, a trial may be conducted in a courtroom, a treatment facility, or at some other suitable place. Pending the final outcome of the proceedings, including any appeals, no permission under subsection 4 or 5 of this section may be implemented.

7. Subject to the provisions of subsection 6 of this section, the requirements for written permission in subsections 4 and 5 of this section shall not apply if providing resuscitation, food, medication, or nutrition would be:

(1) Futile because, in reasonable medical judgment, withholding resuscitation, food, medication, or nutrition would not cause or hasten the death of the patient; or

(2) Medically inappropriate because, in reasonable medical judgment, providing resuscitation, food, medication, or nutrition would create a greater risk of causing or hastening the death of the patient than withholding resuscitation, food, medication, or nutrition.

8. Subsection 7 of this section may be implemented, so long as a reasonably diligent effort has been made to contact at least one parent or legal guardian who, if contacted, has been informed of the planned withholding of food, medication, or nutrition or do-not-resuscitate order, and the health care

provider has cooperated with the parent or legal guardian's efforts to obtain other medical opinions or a transfer of the patient to a provider selected by the parent or guardian, if so requested.

9. Nothing in this section shall require a health care facility, nursing home, or physician to have a written policy relating to or involving life-sustaining or nonbeneficial treatment for patients under eighteen years of age who are not emancipated or adult patients, residents, or wards.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 15

Amend Senate Bill No. 50, Page 3, Section 194.600, Line 60, by inserting after all of said section and line the following:

“205.205. 1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants, [or] any county of the third classification without a township form of government and with more than eleven thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, **or any county of the third classification** may, by resolution, abolish the property tax authorized in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144 and all sales of metered water services, electricity, electrical current and natural, artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under section 144.032. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

3. All revenue collected under this section by the director of the department of revenue on behalf of the hospital district, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the “Hospital District Sales Tax Fund”, and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the district for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The governing body of any hospital district that has adopted the sales tax authorized in this section

may submit the question of repeal of the tax to the voters on any date available for elections for the district. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

5. Whenever the governing body of any hospital district that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the district equal to at least ten percent of the number of registered voters of the district voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

6. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the hospital district shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such district, the director shall remit the balance in the account to the district and close the account of that district. The director shall notify each district of each instance of any amount refunded or any check redeemed from receipts due the district.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SCS** for **SB 160**, entitled:

An Act to repeal sections 21.771, 210.110, 210.152, 210.565, 211.059, 211.081, 211.211, 211.351, 211.361, 211.401, and 211.447, RSMo, and to enact in lieu thereof twelve new sections relating to child protection, with an emergency clause for certain sections.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 160, Page 20, Section 211.447, Line 175, by inserting immediately after said section and line the following:

“566.150. 1. Any person who has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; section 573.200, use of a child in a sexual performance; section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography; or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other jurisdiction which, if committed in this state, would be a violation listed in this section;

shall not knowingly be present in or loiter within five hundred feet of any real property comprising any public park with playground equipment [or], a public swimming pool, **or any museum with the primary purpose of entertaining or educating children under eighteen years of age.**

2. The first violation of the provisions of this section is a class E felony.

3. A second or subsequent violation of this section is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-FIFTH DAY—THURSDAY, MAY 4, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler

HCS for HB 619

HCS for HB 162

HB 97-Swan

HCS for HB 293

HCS for HB 219

HCS for HB 324

HCS for HB 746

HCS for HB 194

HCS for HBs 960, 962 & 828

HCS for HB 670

HB 743-Conway

HB 824-Reiboldt

HCS for HB 384

HCS for HB 886

HCB 7-Fitzwater

HCB 1-McGaugh

HCS for HB 608

HCS for HB 380

SENATE BILLS FOR PERFECTION

- | | |
|----------------------------------|-----------------------------|
| 1. SB 495-Riddle, with SCS | 12. SB 380-Riddle |
| 2. SB 532-Hoskins | 13. SB 297-Hummel, with SCS |
| 3. SB 518-Emery | 14. SB 474-Schatz |
| 4. SB 341-Nasheed, with SCS | 15. SB 483-Holsman |
| 5. SJR 5-Emery, with SCS | 16. SB 498-Nasheed |
| 6. SB 305-Kehoe, et al | 17. SB 251-Kehoe, with SCS |
| 7. SB 535-Wallingford | 18. SB 528-Hegeman |
| 8. SB 523-Sater, with SCS | 19. SB 307-Munzlinger |
| 9. SB 480-Kraus | 20. SB 472-Hoskins |
| 10. SB 407-Riddle, with SCS | 21. SB 524-Koenig, with SCS |
| 11. SB 353-Wallingford, with SCS | |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HB 288-Fitzpatrick (Kehoe) | (Cunningham) |
| 2. HCS for HB 151 (Silvey) | 23. HB 289-Fitzpatrick, with SCS (Rowden) |
| 3. HB 850-Davis (Kraus) | 24. HB 493-Bondon, with SCS (Silvey) |
| 4. HCS for HB 452 (Rowden) | 25. HB 52-Andrews (Hegeman) |
| 5. HCS for HB 831, with SCS (Hummel) | 26. HCS for HB 647, with SCS (Sater) |
| 6. HCS for HB 381, with SCS (Hegeman) | 27. HCS for HB 353, with SCS (Sater) |
| 7. HB 58-Haefner (Onder) | 28. HCS for HB 54, with SCS (Emery) |
| 8. HB 175-Reiboldt, with SCS (Munzlinger) | 29. HB 355-Bahr (Eigel) |
| 9. HB 327-Morris (Curls) | 30. HCS for HB 122, with SCS (Onder) |
| (In Fiscal Oversight) | 31. HCS for HB 230, with SCS (Koenig) |
| 10. HB 680-Fitzwater, with SCS (Wasson) | 32. HB 700-Cookson, with SCS (Libla) |
| 11. HCS for HB 57-Haefner, with SCS | 33. HB 1045-Haahr (Wasson) |
| (Libla) | 34. HB 909-Fraker (Wasson) |
| 12. HCS for HB 422 (Dixon) | 35. HCS for HB 631, with SCS (Emery) |
| 13. HB 245-Rowland, with SCS (Cunningham) | 36. HCS for HB 348 (Romine) |
| 14. HB 262-Sommer (Hoskins) | 37. HJR 10-Brown (Romine) |
| 15. HCS for HB 270 (Rowden) | 38. HCS#2 for HB 502 (Rowden) |
| 16. HCS for HB 661, with SCS (Emery) | 39. HCS for HB 304, with SCS (Koenig) |
| 17. HB 758-Cookson, with SCS (Romine) | 40. HB 871-Davis, with SCS (Kraus) |
| 18. HCS for HB 138, with SCS (Onder) | 41. HB 843-McGaugh, with SCS (Hegeman) |
| 19. HCS for HB 441 (Rowden) | 42. HB 200-Fraker, with SCS (Sater) |
| 20. HCS for HB 253, with SCS (Romine) | 43. HCS for HB 703 (Hegeman) |
| 21. HB 94-Lauer (Romine) | 44. HB 956-Kidd, with SCS (Rizzo) |
| 22. HB 248-Fitzwater, with SCS | 45. HCS for HB 199, with SCS (Cunningham) |

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|--|--|
| 46. HB 87-Henderson, with SCS (Romine) | 65. HCS for HB 1158, with SCS (Riddle) |
| 47. HB 587-Redmon, with SCS (Hegeman) | 66. HCS for HB 159 (Brown) |
| 48. HCS for HB 258, with SCS (Munzlinger) | 67. HB 598-Cornejo (Hegeman) |
| 49. HB 349-Brown, with SCS (Sater) | 68. HB 469-Gannon, with SCS (Romine) |
| 50. HCS for HB 316, with SCS (Wallingford) | (In Fiscal Oversight) |
| 51. HB 558-Ross, with SCS (Schatz) | 69. HCS for HB 935, with SCS |
| 52. HB 586-Rhoads (Rowden) | (In Fiscal Oversight) |
| 53. HB 256-Rhoads, with SCS (Munzlinger) | 70. HB 193-Kelley (Emery) |
| 54. HCS for HB 645 (Sater) | 71. HB 281-Rowland (Sater) |
| 55. HCS for HB 183 (Nasheed) | 72. HB 568-Tate, with SCS (Schatz) |
| 56. HCS for HB 542 (Schatz) | 73. HCS for HB 741, with SCS (Wieland) |
| 57. HB 61-Alferman (Schatz) | 74. HB 815-Basye, with SCS (Riddle) |
| 58. HB 128, HB 678, HB 701 & | (In Fiscal Oversight) |
| HB 964-Davis, with SCS (Richard) | 75. HB 557-Ross (Cunningham) |
| 59. HB 811-Ruth (Wieland) | 76. HCS for HB 694 (Cunningham) |
| 60. HB 805-Basye (Rowden) | (In Fiscal Oversight) |
| 61. HB 664-Korman (Riddle) | 77. HCS for HB 225 (Munzlinger) |
| 62. HB 105-Love (Kraus) | 78. HCS for HB 181 (Sater) |
| 63. HB 849-Pfautsch (Kraus) | 79. HB 697-Trent (Rowden) |
| 64. HCS for HB 260, with SCS (Sater) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|-----------------------------|
| SB 5-Richard | SB 68-Onder and Nasheed |
| SB 6-Richard, with SCS | SB 76-Munzlinger |
| SB 13-Dixon | SB 80-Wasson, with SCS |
| SB 20-Brown | SB 81-Dixon |
| SB 21-Brown | SB 83-Dixon |
| SB 28-Sater, with SCS (pending) | SB 85-Kraus, with SCS |
| SB 32-Emery, with SCS | SB 96-Sater and Emery |
| SBs 37 & 244-Silvey, with SCS, SS for | SB 97-Sater, with SCS |
| SCS & SA 1 (pending) | SB 102-Cunningham, with SCS |
| SB 41-Wallingford and Emery, with SS, | SB 103-Wallingford |
| SA 1 & SA 1 to SA 1 (pending) | SB 109-Holsman, with SCS |
| SBs 44 & 63-Romine, with SCS | SB 115-Schupp, with SCS |
| SB 46-Libla, with SCS | SB 117-Schupp, with SCS |
| SB 61-Hegeman, with SCS | SB 122-Munzlinger, with SCS |
| SB 67-Onder, et al, with SS, SA 1 & | SB 123-Munzlinger |
| SSA 1 for SA 1 (pending) | SB 126-Wasson |

SB 129-Dixon and Sifton, with SCS	SB 230-Riddle
SB 130-Kraus, with SCS	SB 232-Schatz
SB 133-Chappelle-Nadal	SB 233-Wallingford
SB 138-Sater	SB 234-Libla, with SCS
SB 141-Emery	SB 239-Rowden, with SCS
SB 142-Emery	SB 242-Emery, with SCS
SB 144-Wallingford	SB 243-Hegeman
SB 145-Wallingford, with SCS	SB 247-Kraus, with SCS
SB 147-Romine	SB 250-Kehoe
SB 156-Munzlinger, with SCS	SB 252-Dixon, with SCS
SB 157-Dixon, with SCS	SB 258-Munzlinger
SB 158-Dixon	SB 259-Munzlinger
SB 163-Romine	SB 260-Munzlinger
SB 169-Dixon, with SCS	SB 261-Munzlinger
SB 171-Dixon and Sifton, with SCS	SB 262-Munzlinger
SB 176-Dixon	SB 263-Riddle
SB 177-Dixon, with SCS	SB 264-Dixon
SB 178-Dixon	SB 267-Schatz, with SCS
SB 180-Nasheed, with SCS	SB 271-Wasson and Richard, with SCS
SB 183-Hoskins, with SCS	SB 280-Hoskins, with SCS
SB 184-Emery, with SS (pending)	SB 284-Hegeman, with SCS
SB 185-Onder, et al, with SCS	SBs 285 & 17-Koenig, with SCS
SB 188-Munzlinger, with SCS	SB 286-Rizzo
SB 189-Kehoe, with SCS	SB 290-Schatz, with SCS
SB 190-Emery, with SCS & SS#2 for SCS (pending)	SB 295-Schaaf, with SCS
SB 196-Koenig	SB 298-Curls
SB 199-Wasson	SB 303-Wieland, with SCS
SB 200-Libla	SB 311-Wasson, with SCS
SB 201-Onder, with SCS	SBs 314 & 340-Schatz, et al, with SCS
SB 203-Sifton, with SCS	SB 316-Rowden, with SCS
SB 207-Sifton	SB 325-Kraus
SB 209-Wallingford	SBs 327, 238 & 360-Romine, with SCS
SB 210-Onder, with SCS	SB 328-Romine, with SCS & SA 3 (pending)
SB 220-Riddle, with SCS & SS for SCS (pending)	SB 330-Munzlinger
SB 221-Riddle	SB 331-Hegeman
SB 223-Schatz, with SCS	SB 333-Schaaf, with SCS
SB 227-Koenig, with SCS	SB 336-Wieland
SB 228-Koenig, with SS & SA 1 (pending)	SB 348-Wasson, with SA 1 (pending)
	SB 349-Wasson
	SB 358-Wieland

SB 362-Hummel	SB 426-Wasson, with SCS
SB 368-Rowden	SB 427-Wasson
SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)	SB 430-Cunningham, with SCS
SB 378-Wallingford	SB 433-Sater, with SCS
SB 379-Schatz	SB 435-Cunningham, with SCS
SB 381-Riddle	SB 442-Hegeman
SB 383-Eigel and Wieland	SB 445-Rowden
SB 384-Rowden, with SCS	SB 448-Emery
SB 389-Sater, with SCS	SB 451-Nasheed, with SS (pending)
SB 391-Munzlinger	SB 468-Hegeman
SB 392-Holsman	SB 469-Schatz
SB 406-Wasson and Sater	SB 475-Schatz
SB 409-Koenig	SB 485-Hoskins
SB 410-Schatz	SB 517-Wasson
SB 413-Munzlinger	SB 526-Brown
SB 418-Hegeman, with SCS	SJR 9-Romine, with SCS
SB 419-Riddle	SJR 11-Hegeman, with SCS
SB 422-Cunningham, with SCS	SJR 12-Eigel
	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HCS for HBs 302 & 228, with SCS, SS for SCS & SA 5 (pending) (Schatz)
HCS for HB 66, with SCS (Sater)	HB 336-Shull (Wieland)
HB 85-Redmon, with SCS (Hegeman)	HCS for HBs 337, 259 & 575 (Schatz)
HCS for HBs 91, 42, 131, 265 & 314 (Brown)	HCS for HB 427, with SCS (Kehoe)
HB 93-Lauer, with SCS (Wasson)	HCS for HB 451 (Wasson)
HB 95-McGaugh (Emery)	HCS for HB 460 (Munzlinger)
HB 104-Love (Brown)	HB 461-Kolkmeier (Munzlinger)
HCS for HB 115, with SCS (Wasson)	HB 462-Kolkmeier (Munzlinger)
HCS for HBs 190 & 208 (Eigel)	HB 655-Engler (Dixon)
HB 207-Fitzwater (Romine)	HCS for HBs 1194 & 1193 (Hegeman)
HB 251-Taylor, with SCS, SS for SCS, SA 2 & SA 3 to SA 2 (pending) (Onder)	HCB 3-Fitzpatrick, with SA 2 (pending) (Koenig)
HCS for HB 292, with SCS (Cunningham)	

SENATE BILLS WITH HOUSE AMENDMENTS

SB 50-Walsh, with HA 1, HA 2, HA 3,
HA 4, HA 5, as amended, HA 6, as
amended, HA 7, as amended, HA 8,
HA 9, HA 10, as amended, HA 11, HA 12,
as amended, HA 13, HA 14 & HA 15
SS for SB 62-Hegeman, with HCS,
as amended
SB 64-Schatz, with HA 1, HA 2 & HA 3

SS for SCS for SB 66-Schatz, with HCS,
as amended
SB 111-Hegeman, with HCS, as amended
SS for SCS for SB 160-Sater, with HCS,
as amended
SCS for SB 161-Sater, with HCS
SB 411-Schatz, with HA 1, HA 2, HA 3,
as amended, HA 4 & HA 5, as amended

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

HCS for HB 2, with SCS, as amended
(Brown)
HCS for HB 3, with SCS (Brown)
HCS for HB 4, with SCS (Brown)
HCS for HB 5, with SCS (Brown)
HCS for HB 6, with SCS, as amended (Brown)
HCS for HB 7, with SCS (Brown)
HCS for HB 8, with SCS (Brown)

HCS for HB 9, with SCS (Brown)
HCS for HB 10, with SCS (Brown)
HCS for HB 11, with SCS (Brown)
HCS for HB 12, with SCS, as amended
(Brown)
HCS for HB 17, with SCS, as amended
(Brown)
HCS for HB 19, with SCS (Brown)

Requests to Recede or Grant Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
as amended, HA 4, HA 5, HA 6, HA 7,
HA 8, as amended & HA 9, as amended
(Senate requests House recede or
grant conference)

HCS for HBs 90 & 68, with SS, as amended
(Schatz)
(House requests Senate recede or grant
conference)

RESOLUTIONS

SR 197-Richard
SR 891-Romine

SR 917-Silvey

Reported from Committee

SCR 6-Walsh

SCR 17-Curls

SCR 18-Wallingford

SCR 25-Cunningham, with SCS

SCR 26-Kehoe

HCR 6-Justus (Sater)

HCR 28-Rowland (Rowden)

HCS for HCR 47 (Schatz)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-FIFTH DAY—THURSDAY, MAY 4, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“A man who governs his passions is master of the world. We must either command them, or be enslaved by them. It is better to be a hammer than an anvil.” (St. Dominic)

Merciful Father You know we are tired and at this time of the year our patience gets thin and our frustrations increase. So help us govern our passions so what we say is kind and conveys the meaning of what we are attempting to do here. May we deal fairly and openly with one another and work the work You would have us complete. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from Fox 2 TV, St. Louis Public Radio and MissouriNet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 922, regarding Trey Latrell Young, which was adopted.

Senator Onder offered Senate Resolution No. 923, regarding Jonaé Victoria Andrews, which was adopted.

Senator Schupp offered Senate Resolution No. 924, regarding David Steele, which was adopted.

Senator Schupp offered Senate Resolution No. 925, regarding Elisabeth Condon, which was adopted.

Senator Schupp offered Senate Resolution No. 926, regarding Eagle Scout Caleb Ryan Stanfield, St. Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 927, regarding Anwaar Morales, Chicago, Illinois, which was adopted.

Senator Sifton offered Senate Resolution No. 928, regarding Yea Sung “Danny” Lee, Washington, which was adopted.

Senator Hoskins offered Senate Resolution No. 929, regarding Colton Huthsing, Joplin, which was adopted.

Senator Hoskins offered Senate Resolution No. 930, regarding Kyle Brewster, Washington, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 931

WHEREAS, the Missouri Senate recognizes the importance of empowering citizens to actively participate in the democratic process; and

WHEREAS, the Senate has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

WHEREAS, The Supreme Court Civic Education Committee - Constitution Project is a fun, yet intensive, interactive competition for high school students to gain experience in fields of journalism, crime scene investigation and trial advocacy;

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the Supreme Court Civic Education Committee - Constitution Project permission to use the Senate Chamber from 9:00 a.m. to 3:00 p.m. on Wednesday, September 6, 2017, for the purpose of conducting a mock session.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 931** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 931** was adopted.

The Senate observed a moment of silence for the flood victims in Butler County.

President Pro Tem Richard assumed the Chair.

REPORTS OF STANDING COMMITTEES

Senator Munzlinger, Chairman of the Committee on Agriculture, Food Production and Outdoor Resources, submitted the following report:

Mr. President: Your Committee on Agriculture, Food Production and Outdoor Resources, to which was

referred **HB 719**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following reports:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 261**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HB 294**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCS** for **HB 303**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following report:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **HCS** for **HB 174**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HCS** for **HB 935**, with **SCS**; **HB 815**, with **SCS**; **HCS** for **HB 694**; **HB 469**, with **SCS**; and **HB 327**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following reports:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 142**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 247**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 334**, begs leave to report that it has considered the same and recommends

that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 571**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 656**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Riddle, Chairman of the Committee on Professional Registration, submitted the following reports:

Mr. President: Your Committee on Professional Registration, to which was referred **HCS** for **HB 330**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HB 209**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

President Parson assumed the Chair.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on House Amendment No. 1, House Amendment No. 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 2 to House Amendment No. 9, House Amendment No. 3 to House Amendment No. 9 and House Amendment No. 9, as amended, to **SB 8** and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 8**, as amended. Representatives: Rhoads, Bernskoetter, Fitzwater (144), McCreery, Mitten.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 302**, entitled:

An Act to repeal sections 68.057, 68.075, and 135.963, RSMo, and to enact in lieu thereof three new sections relating to local enterprise zones.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6, as amended, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9, and House Amendment No. 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 302, Page 4, Section 135.963, Line 54, by inserting after all of said section and line the following:

“393.355. 1. As used in this section, the following terms shall mean:

(1) “Electrical corporation”, as defined in section 386.020, but shall not include an electrical corporation as defined and set forth in subsection 2 of section 393.110;

(2) “Aluminum smelting facility”, a facility whose primary industry is the smelting of aluminum and primary metals, Standard Industrial Classification Code 3334, is located in a county of the third classification, and has had electrical service provided to said facility in the past, in part or whole, by a municipally-owned utility and, in part or whole, by an electric generating cooperative owned by rural electric cooperatives;

(3) “Steel works facility”, a facility whose primary industry is the production or fabrication of steel, North American Industrial Classification System 331110, and is located in a county of the third classification.

2. Notwithstanding section 393.130 or any other provision of law to the contrary, the public service commission shall have the authority to approve a special rate that is not based on the electrical corporation’s cost of service for an aluminum smelting facility or a steel works facility if the commission:

(1) Determines the special rate is in the interest of the state of Missouri when considering the collective interests of the customers of the electrical corporation serving the facility and the interests of the citizens of the state generally in promoting economic development, improving the tax base, providing employment opportunities in the state, and promoting such other benefits to the state as the commission may determine are created by approval of the special rate;

(2) In each general rate proceeding of the electrical corporation serving the facility, allocates the reduced revenues from the special rate as compared to the revenues that would have been generated at the rate the facility would have paid without the special rate to the electrical corporation’s other customers through a uniform percentage adjustment to all components of the base rates of all customer classes; and

(3) Approves a tracking mechanism meeting the requirements of subsection 3 of this section.

3. Any commission order approving a special rate authorized by this section to provide service to an aluminum smelting facility or steel works facility in the manner specified in subsection 4 of this section must establish a tracking mechanism to track changes in the net margin experienced by the electrical corporation serving the smelting facility because of changes in the smelting facility’s load

between the electrical corporation's general rate proceedings, with the tracker to apply retroactively to the date the electrical corporation's base rates were last set in its last general rate proceeding concluded prior to the effective date of this section. The commission shall ensure that the changes in net margin experienced by the electrical corporation due to such changes in the facility's load between general rate proceedings is calculated in such a manner that the electrical corporation's net income is neither increased nor decreased because of such changes in the facility's load. The changes in net margin shall be deferred to a regulatory liability or regulatory asset, as applicable, with the balance of such regulatory asset or liability to be included in the revenue requirement of the electrical corporation in each of its general rate proceedings through an amortization of the balance over a reasonable period until fully returned to or collected from the electrical corporation's customers.

4. An electrical corporation is authorized to provide electric service to an aluminum smelting facility or steel works facility at a special rate authorized by this section in one of two ways, as follows:

(1) Under a rate schedule reflecting the special rate if the facility is located within the electrical corporation's certificated service territory; or

(2) Notwithstanding section 393.170, under a contract reflecting the special rate approved by the commission under the terms and conditions of this section.

In any case where the electric service is provided under contract referenced in subdivision (2) of this subsection, the facility shall be a commission-regulated retail electric customer of the electrical corporation and the rates, charges, and revenues under the contract shall, for ratemaking purposes, be treated by the commission as if the rates, charges, and revenues arise under the electrical corporation's tariff.

5. To receive a special rate, the facility must file a written application with the commission specifying the requested special rate, any terms or conditions proposed by the facility respecting the requested special rate, and provide information regarding how the requested special rate meets the criteria specified in subdivision (1) of subsection 2 of this section. A special rate provided for by this section shall not continue beyond December 31, 2027. The commission may impose such conditions on the special rate as it deems appropriate so long as it otherwise complies with the provisions of this section.

393.356. Electrical corporations may file proposed rate or regulatory mechanisms or plans with the commission for the commission's approval. If such a mechanism or plan is approved by the commission as filed or is approved by the commission with modifications acceptable to the electrical corporation, or if the commission approves a special rate under section 393.355, the commission shall lack the authority to modify or eliminate any such mechanism, plan, or special rate during the specified term.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 302, Page 4, Section 135.963, Line 54, by inserting after all of said section and line the following:

“393.1410. 1. It shall be the policy of the state of Missouri for the commission to support expenditures by electrical corporations that maintain or improve the reliability, safety, security, or

automation of electric infrastructure, including through the use of the latest technologies to meet the needs and expectations of customers. It shall also be the policy of the state of Missouri for the commission to approve rates designed to allow electrical corporations to recover their full cost of service and provide a reasonable opportunity to earn a fair return.

2. The commission may utilize rate adjustment mechanisms not otherwise specifically authorized by statute including, but not limited to, mechanisms to promote modernization and replacement of an electrical corporation's infrastructure. The commission may also use partially forecasted test years, true-ups of retail revenue requirement components, tracking mechanisms, grid modernization incentive mechanisms, interim rates, performance-based ratemaking, revenue decoupling with regular adjustments, or decisional pre-approval with post construction review of construction projects. To the extent the commission's approval of a rate adjustment mechanism or other mechanism provided for by this section specifies a term over which the approval is to continue, the commission shall lack the authority to modify or eliminate the electrical corporation's use of the mechanism or tool during the specified term."'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 302, Page 3, Section 68.075, Line 53, by inserting immediately after all of said section and line the following:

"99.585. 1. In addition to the powers granted under section 99.580, the state of Missouri, acting through the department of economic development and the office of administration, and any other public body, may, upon such terms and with reasonable consideration as it may determine, appropriate funds for the purpose of aiding and cooperating in the planning, undertaking, or carrying out of a land clearance project or projects within the area in which the public body is authorized to act to develop, construct, reconstruct, rehabilitate, repair, or improve any tourism infrastructure facilities within such land clearance project area or areas. Any annual appropriation by a public body for such land clearance projects related to tourism infrastructure facilities shall be limited to a portion of tax revenues derived directly or indirectly from any such land clearance project or projects supported by such annual appropriations within such designated land clearance project area or areas, as stated in an agreement entered into between the authority and the public body under subdivision (10) of section 99.580; provided, however, that the annual amount of the state appropriation contemplated by this section shall not exceed six million dollars per year for any one such agreement and shall be determined to produce a positive net fiscal impact for the state over the term of such agreement, with such public or private assurances as the director of the department of economic development may reasonably require.

2. As used in this section, "tourism infrastructure facilities" means structures, fixtures, systems, and facilities including, but not limited to, convention centers, multipurpose sports and entertainment venues, exhibition and trade facilities, transportation facilities, cultural facilities, field houses, indoor and outdoor convention and recreational facilities and centers, playing fields, or parking facilities owned by any public body and which the authority determines are a contributing factor in the attraction of convention, sports, recreational, transportation, cultural, or meeting activities, either professional or amateur, commercial or private. Such structures, fixtures, systems, and facilities may include, but are not limited to, foundations, roofs, interior and exterior walls or windows, floors, steps,

stairs, concourses, hallways, restrooms, event or meeting spaces or other hospitality-related areas, concession or food preparation areas, and services systems such as mechanical, gas utility, electrical, lighting, communication, sound, sanitary, HVAC, elevator, escalator, plumbing, sprinkler, cabling and wiring, life-safety, or other building systems.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 302, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants and with a county seat with more than fifteen thousand but fewer than seventeen thousand inhabitants; and

(12) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to

provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide

for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 302, Page 3, Section 68.075, Line 53, by inserting after all of said section and line the following:

“108.170. 1. Notwithstanding any other provisions of any law or charter to the contrary, any issue of bonds, notes, or other evidences of indebtedness, including bonds, notes, or other evidences of indebtedness payable solely from revenues derived from any revenue-producing facility, hereafter issued under any law of this state by any county, city, town, village, school district, educational institution, drainage district, levee district, nursing home district, hospital district, library district, road district, fire protection district, water supply district, sewer district, housing authority, land clearance for redevelopment authority, special authority created under section 64.920, authority created pursuant to the provisions of chapter 238, or other municipality, political subdivision or district of this state shall be negotiable, may be issued in bearer form or registered form with or without coupons to evidence interest payable thereon, may be issued in any denomination, and may bear interest at a rate not exceeding ten percent per annum, and may be sold, at any sale, at the best price obtainable, not less than ninety-five percent of the par value thereof, anything in any proceedings heretofore had authorizing such bonds, notes, or other evidence of indebtedness, or in any law of this state or charter provision to the contrary notwithstanding. Such issue of bonds, notes, or other evidence of indebtedness may bear interest at a rate not exceeding fourteen percent per annum if sold at public sale after giving reasonable notice of such sale, at the best price obtainable, not less than ninety-five percent of the par value thereof; provided, that such bonds, notes, or other evidence of indebtedness may be sold to any agency or corporate or other instrumentality of the state of Missouri or of the federal government at private sale at a rate not exceeding fourteen percent per annum. **Any political subdivision that maintains a credit rating by a nationally recognized bond rating agency of A, AA, or AAA issuing more than ten million dollars debt in a calendar year shall issue such debt through a competitive process unless the political subdivision employs the services of a municipal advisor, at which point the political subdivision may use a negotiated or competitive process. A municipal advisor shall not be allowed to profit financially or otherwise, either directly or indirectly, from the underwriter of a negotiated bond issuance.**

2. Notwithstanding the provisions of subsection 1 of this section to the contrary, the sale of bonds, notes, or other evidence of indebtedness issued by the state board of public buildings created under section 8.010, the state board of fund commissioners created under section 33.300, any port authority created under section 68.010, the bi-state metropolitan development district authorized under section 70.370, any special business district created under section 71.790, any county, as defined in section 108.465, exercising the powers granted by sections 108.450 to 108.470, the industrial development board created under section 100.265, any planned industrial expansion authority created under section 100.320, the higher education loan authority created under section 173.360, the Missouri housing development commission created under

section 215.020, the state environmental improvement and energy resources authority created under section 260.010, the agricultural and small business development authority created under section 348.020, any industrial development corporation created under section 349.035, or the health and educational facilities authority created under section 360.020 shall, with respect to the sales price, manner of sale and interest rate, be governed by the specific sections applicable to each of these entities.

3. Any person who is engaged as a municipal advisor by a political corporation or subdivision with respect to a particular issue of securities shall be independent of the underwriter of that issue of securities. For the purposes of this section, “municipal advisor” shall mean a person registered as a municipal advisor under the rules of the United States Securities and Exchange Commission, and “independent” shall have the same meaning as defined by the rules of the United States Securities and Exchange Commission. In determining the individuals or entities that may serve as a municipal advisor, nothing in this section shall be construed to be more restrictive than the definition of a municipal advisor as established by the United States Securities and Exchange Commission.

4. Notwithstanding other provisions of this section or other law, the sale of bonds, notes or other evidence of indebtedness issued by any housing authority created under section 99.040 may be sold at any sale, at the best price obtainable, not less than ninety-five percent of the par value thereof, and may bear interest at a rate not exceeding fourteen percent per annum. The sale shall be a public sale unless the issuing jurisdiction adopts a resolution setting forth clear justification why the sale should be a private sale except that private activity bonds may be sold either at public or private sale.

[4.] 5. Notwithstanding other provisions of this section or law, industrial development revenue bonds may be sold at private sale and bear interest at a rate not exceeding fourteen percent per annum at the best price obtainable, not less than ninety-five percent of the par value thereof.

[5.] 6. Notwithstanding other provisions in subsection 1 of this section to the contrary, revenue bonds issued for airport purposes by any constitutional charter city in this state which now has or may hereafter acquire a population of more than three hundred thousand but less than six hundred thousand inhabitants, according to the last federal decennial census, may bear interest at a rate not exceeding fourteen percent per annum if sold at public sale after giving reasonable notice, at the best price obtainable, not less than ninety-five percent of the par value thereof.

[6.] 7. For purposes of the interest rate limitations set forth in this section, the interest rate on bonds, notes or other evidence of indebtedness described in this section means the rate at which the present value of the debt service payments on an issue of bonds, notes or other evidence of indebtedness, discounted to the date of issuance, equals the original price at which such bonds, notes or other evidence of indebtedness are sold by the issuer. Interest on bonds, notes or other evidence of indebtedness may be paid periodically at such times as shall be determined by the governing body of the issuer and may be compounded in accordance with section 408.080.

[7.] 8. Notwithstanding any provision of law or charter to the contrary:

(1) Any entity referenced in subsection 1 or 2 of this section and any other political corporation of the state which entity or political corporation has an annual operating budget for the current year exceeding twenty-five million dollars may, in connection with managing the cost to such entity or political corporation of purchasing fuel, electricity, natural gas, and other commodities used in the ordinary course of its lawful operations, enter into agreements providing for fixing the cost of such commodity, including without

limitation agreements commonly referred to as hedges, futures, and options; provided that as of the date of such agreement, such entity or political corporation shall have complied with subdivision (3) of this subsection; and further provided that no eligible school, as defined in section 393.310, shall be authorized by this subsection to enter into such agreements in connection with the purchase of natural gas while the tariffs required under section 393.310 are in effect;

(2) Any entity referenced in subsection 1 or 2 of this section and any other political corporation of the state may, in connection with its bonds, notes, or other obligations then outstanding or to be issued and bearing interest at a fixed or variable rate, enter into agreements providing for payments based on levels of or changes in interest rates, including without limitation certain derivative agreements commonly referred to as interest rate swaps, hedges, caps, floors, and collars, provided that:

(a) As of the date of issuance of the bonds, notes, or other obligations to which such agreement relates, such entity or political corporation will have bonds, notes, or other obligations outstanding in an aggregate principal amount of at least fifty million dollars; and

(b) As of the date of such agreement, such entity's or political corporation's bonds, notes, or other obligations then outstanding or to be issued have received a stand-alone credit rating in one of the two highest categories, without regard to any gradation within such categories, from at least one nationally recognized credit rating agency, or such entity or political corporation has an issuer or general credit rating, in one of the two highest categories, without regard to any gradation within such categories, from at least one nationally recognized credit rating agency; and

(c) As of the date of such agreement, such entity or political corporation shall have complied with subdivision (3) of this subsection;

(3) Prior to entering into any agreements pursuant to subdivision (1) or (2) of this subsection, the governing body of the entity or political corporations entering into such agreements shall have adopted a written policy governing such agreements. Such policy shall be prepared by integrating the recommended practices published by the Government Finance Officers Association or comparable nationally recognized professional organization and shall provide guidance with respect to the permitted purposes, authorization process, mitigation of risk factors, ongoing oversight responsibilities, market disclosure, financial strategy, and any other factors in connection with such agreements determined to be relevant by the governing body of such entity or political corporation. Such entity or political corporation may enter into such agreements at such times and such agreements may contain such payment, security, default, remedy, and other terms and conditions as shall be consistent with the written policy adopted under this subdivision and as may be approved by the governing body of such entity or other obligated party, including any rating by any nationally recognized rating agency and any other criteria as may be appropriate;

(4) Nothing in this subsection shall be applied or interpreted to authorize any such entity or political corporation to enter into any such agreement for investment purposes or to diminish or alter the special or general power any such entity or political corporation may otherwise have under any other provisions of law including the special or general power of any interstate transportation authority.

9. The state treasurer shall make available to municipalities, political subdivisions, or districts listed under subsection 1 of this section relevant information regarding debt issuance and bidding processes, including best practices resources published by a national association of government finance officers on debt issuance, to aid such entities with the process of issuing debt and awarding

bonds to the best bidder.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO

HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Bill No. 302, Page 2, Line 39, by deleting the word “**specific**” on said line and inserting in lieu thereof the word “**special**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 302, Page 4, Section 135.963, Line 54, by inserting after all of said section and line the following:

“173.1600. 1. As used in this section, the following words mean:

(1) “Educational institution” or “school”, a private or public institution that offers participants, students, or trainees an organized course of study or training that is academic, technical, trade-oriented, or preparatory for gainful employment in a recognized occupation;

(2) “Personal social media account”, an account with an electronic medium or service where users may create, share, and view user-generated content including, but not limited to, videos or still photographs, blogs, video blogs, podcasts, messages, emails, or internet website profiles or locations. The term “personal social media account” does not include:

(a) An account opened at an employer’s behest, or provided by an employer, and intended to be used solely on behalf of the employer; or

(b) An account opened at a school’s behest, or provided by a school, and intended to be used solely on behalf of the school;

(3) “Prospective student”, an applicant for admission to an educational institution;

(4) “Student”, any student, participant, or trainee, whether full-time or part-time, in an organized course of study at an educational institution.

2. An educational institution shall not:

(1) Require, request, or coerce a student or prospective student to disclose the username and password, password, or any other means of authentication, or provide access through the username or password, to a personal social media account;

(2) Except as provided under subsection 4 of this section, require, request, or coerce a student or prospective student to access a personal social media account in the presence of a school employee or school volunteer including, but not limited to, a coach, teacher, or school administrator, in a manner that enables the school employee or school volunteer to observe the contents of such account; or

(3) Compel a student or prospective student to add anyone, including a coach, teacher, school administrator, or other school employee or school volunteer, to his or her list of contacts associated with a personal social media account or require, request, or otherwise coerce a student or prospective student to change the settings that affect a third party’s ability to view the contents of a personal

social media account.

3. An educational institution shall not:

(1) Take any action or threaten to take any action to discharge, discipline, prohibit from participating in curricular or extracurricular activities, or otherwise penalize a student for a student's refusal to disclose any information specified in subdivision (1) of subsection 2 of this section, for refusal to take any action specified in subdivision (2) of subsection 2 of this section, or for refusal to add a coach, teacher, school administrator, or other school employee or school volunteer to his or her list of contacts associated with a personal social media account or to change the settings that affect a third party's ability to view the contents of a personal social media account, as specified in subdivision (3) of subsection 2 of this section; or

(2) Fail or refuse to admit any prospective student as a result of the prospective student's refusal to disclose any information specified in subdivision (1) of subsection 2 of this section, refusal to take any action specified in subdivision (2) of subsection 2 of this section, or refusal to add a coach, teacher, school administrator, or other school employee or school volunteer to his or her list of contacts associated with a personal social media account or to change the settings that affect a third party's ability to view the contents of a personal social media account, as specified in subdivision (3) of subsection 2 of this section.

4. Nothing in this section prevents an educational institution from:

(1) Accessing information about a student or prospective student that is publicly available;

(2) Complying with state and federal laws, rules, and regulations and the rules of self-regulatory organizations, where applicable;

(3) Requesting or requiring a student or prospective student to share specific content that has been reported to the school, without requesting or requiring a student or prospective student to provide a username and password, password, or other means of authentication that provides access to a personal social media account, as part of:

(a) An investigation for the purpose of ensuring compliance with applicable laws or regulatory requirements; or

(b) An investigation of actual disruption to school functions based on receipt of specific information about the unlawful harassment or bullying of a student by the student or prospective student from whom the content is requested or required;

(4) Prohibiting a student or prospective student from using a personal social media account for school purposes; or

(5) Prohibiting a student or prospective student from accessing or operating a personal social media account during school hours or while on school property.

5. If a school inadvertently receives the username and password, password, or other means of authentication that provides access to a personal social media account of a student or prospective student through the use of an otherwise lawful virus scan or firewall that monitors the school's network or school-provided devices, the school is not liable for having the information but shall not use the information to access the personal social media account of the student or prospective student

or share the information with anyone. The school shall delete the information immediately, if reasonably practicable.

6. It shall be an unlawful employment practice for an educational institution to violate the provisions of this section. A student or prospective student may bring a cause of action for general or specific damages based on any violation of this section.

285.045. 1. This section shall be known and may be cited as “The Password Privacy Protection Act”.

2. As used in this section, the following terms shall mean:

(1) “Applicant”, any person applying for employment;

(2) “Electronic communications device”, any device that uses electronic signals to create, transmit, and receive information. The term “electronic communications device” shall include, but not be limited to, computers, telephones, personal digital assistants, and other similar devices;

(3) “Employee”, any person performing work or service of any kind or character for hire within the state of Missouri, including independent contractors;

(4) “Employer”, any person or entity employing any person for hire within the state of Missouri, including a public employer;

(5) “Employment”, the act of employing or state of being employed, engaged, or hired to perform work or services of any kind or character within the state of Missouri;

(6) “Personal online account”, an online account that is used by an employee or applicant exclusively for personal communications unrelated to any business purposes of the employer. Such account shall not include any account created, maintained, used, or accessed by an employee or applicant for business-related communications or for a business purpose of the employer;

(7) “Personal online service”, an online service that is used by an employee or applicant exclusively for personal communication or use unrelated to any business purposes of the employer. Such service shall not include any service maintained, used, or accessed by an employee or applicant for business-related communications or uses or for a business purpose of the employer;

(8) “Political subdivision”, any agency of the state, county, city, town, township, village, special district, subdistrict, or any unit of the state authorized to levy taxes;

(9) “Public employer”, every department, agency, or instrumentality of the state or political subdivision of the state;

(10) “Work”, any job, task, labor, services, or any other activity for which compensation is provided, expected, or due.

3. Subject to the exceptions provided in subsection 4 of this section, an employer shall not request or require an employee or applicant to disclose any username, password, or other authentication means for accessing any personal online account or personal online service or compel an employee or applicant for employment to add the employer or an employment agency to the employee’s or applicant’s list of contacts associated with a personal online account.

4. An employer may request or require an employee to disclose any username, password, or other authentication means for accessing:

(1) Any electronic communications device supplied by or paid for, in whole or in part, by the employer;

(2) Any accounts or services provided by the employer;

(3) Any accounts or services the employee uses for business purposes; or

(4) Any accounts or services used as a result of the employee's employment relationship with the employer.

5. An employer shall not:

(1) Discharge, discipline, or otherwise penalize or threaten to discharge, discipline, or otherwise penalize an employee solely for an employee's refusal to disclose any information specified in subsection 3 of this section;

(2) Fail or refuse to hire any applicant as a result of the applicant's refusal to disclose any information specified in subsection 3 of this section; or

(3) Be held liable for failure to request or require that an applicant or employee disclose any information specified in subsection 3 of this section.

6. An employee shall not transfer an employer's proprietary or confidential information or financial data to an employee's personal online account or personal online service without the employer's authorization.

7. This section shall not be construed to prevent an employer from engaging in any of the following activities:

(1) Conducting an investigation for the purposes of ensuring compliance with applicable laws or regulations against work-related employee misconduct based on the receipt of specific information about activity on a personal online account or personal online service by an employee or other source;

(2) Conducting an investigation of an employee's actions based on the receipt of specific information about the unauthorized transfer of an employer's proprietary information, confidential information, or financial data to a personal online account or personal online service by an employee or other source;

(3) Conducting an investigation as specified in subdivision (1) or (2) of this subsection that requires the employee's cooperation to share the content that has been reported in order to make a factual determination;

(4) Disciplining or discharging an employee for transferring the employer's proprietary or confidential information or financial data to an employee's personal online account or personal online service without the employer's authorization;

(5) Restricting or prohibiting an employee's access to certain websites while using an electronic communications device that is paid for, in whole or in part, by the employer or while using an employer's network or resources, in compliance with state and federal law; or

(6) Monitoring, reviewing, accessing, or blocking electronic data stored on an electronic communications device that is paid for, in whole or in part, by the employer, or such data that is traveling through or stored on an employer's network, in compliance with state and federal law.

8. This section shall not prohibit or restrict any employer from viewing, accessing, or utilizing information about any employee or applicant that can be obtained without the information specified in subsection 3 of this section or that is available to the public.

9. This section shall not be construed to prevent an employer from complying with state or federal laws or regulations or the rules of self-regulatory organizations, as that term is defined in 15 U.S.C. Section 78c(a)(26).

10. This section shall not be construed to prohibit an employer from requesting an employee to provide an email address in order to conduct business-related communications with the employee. However, such address shall not be disclosed to any third party.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 302, Page 3, Section 68.075, Line 53, by inserting immediately after all of said section and line the following:

“99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the event a municipality has undertaken acts establishing a redevelopment plan and redevelopment project and has designated a redevelopment area after the passage and approval of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance providing that after the total equalized assessed valuation of the taxable real property in a redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon taxable real property in such redevelopment project by taxing districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid by the county collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

(2) (a) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in the area selected for the redevelopment project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the municipality for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's levy rate for ad valorem tax on real property, any

additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund without the consent of such taxing district. Revenues will be considered directly attributable to the newly voter-approved incremental increase to the extent that they are generated from the difference between the taxing district's actual levy rate currently imposed and the maximum voter-approved levy rate at the time that the redevelopment project was adopted. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of the redevelopment project from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds in the special allocation fund for the payment of such costs and obligations and provide for the collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special assessment lien as provided in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment project attributable to any increase above the total initial equalized assessed value of such properties shall be used in calculating the general state school aid formula provided for in section 163.031 until such time as all redevelopment costs have been paid as provided for in this section and section 99.850.

(b) Notwithstanding any provisions of this section to the contrary, for purposes of determining the limitation on indebtedness of local government pursuant to Article VI, Section 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area selected for redevelopment attributable to the increase above the total initial equalized assessed valuation shall be included in the value of taxable tangible property as shown on the last completed assessment for state or county purposes.

(c) The county assessor shall include the current assessed value of all property within the taxing district in the aggregate valuation of assessed property entered upon the assessor's book and verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri Constitution;

(3) For purposes of this section, "levies upon taxable real property in such redevelopment project by taxing districts" shall not include the blind pension fund tax levied under the authority of Article III, Section 38(b) of the Missouri Constitution, or the merchants' and manufacturers' inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X of the Missouri Constitution, except in redevelopment project areas in which tax increment financing has been adopted by ordinance pursuant to a plan approved by vote of the governing body of the municipality taken after August 13, 1982, and before January 1, 1998.

2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts, which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for

the purpose of public transportation, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Any provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a municipality and any other political subdivision which provides for an appropriation of other municipal revenues to the special allocation fund shall be and remain enforceable.

3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of this section, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties and interest which are imposed by the municipality or other taxing districts, and which are generated by economic activities within the area of the redevelopment project over the amount of such taxes generated by economic activities within the area of the redevelopment project in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses, fees or special assessments other than payments in lieu of taxes and penalties and interest thereon, any sales tax imposed by a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such county under section 238.410 for the purpose of the county transit authority operating transportation facilities, or for redevelopment plans and projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems, shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the municipality, who shall deposit such funds in a separate segregated account within the special allocation fund. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any additional revenues generated within an existing redevelopment project area that are directly attributable to the newly voter-approved incremental increase in such taxing district's levy rate shall not be considered economic activity taxes subject to deposit into a special allocation fund without the consent of such taxing district.

4. Beginning January 1, 1998, for redevelopment plans and projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in subsection 8 of this section, estimated for the businesses within the project area and identified by the municipality in the application required by subsection 10 of this section, over and above the amount of such taxes reported by businesses within the project area as identified by the municipality in their application prior to the approval of the redevelopment project by ordinance, while tax increment financing remains in effect, may be available for appropriation by the general assembly as provided in subsection 10 of this section to the department of economic development supplemental tax increment financing fund, from the general revenue fund, for distribution to the treasurer or other designated financial officer of the municipality with approved plans or projects.

5. The treasurer or other designated financial officer of the municipality with approved plans or projects

shall deposit such funds in a separate segregated account within the special allocation fund established pursuant to section 99.805.

6. No transfer from the general revenue fund to the Missouri supplemental tax increment financing fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No municipality shall commit any state revenues prior to an appropriation being made for that project. For all redevelopment plans or projects adopted or approved after December 23, 1997, appropriations from the new state revenues shall not be distributed from the Missouri supplemental tax increment financing fund into the special allocation fund unless the municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of economic activity taxes generated by the project shall be used for eligible redevelopment project costs while tax increment financing remains in effect. This account shall be separate from the account into which payments in lieu of taxes are deposited, and separate from the account into which economic activity taxes are deposited.

7. In order for the redevelopment plan or project to be eligible to receive the revenue described in subsection 4 of this section, the municipality shall comply with the requirements of subsection 10 of this section prior to the time the project or plan is adopted or approved by ordinance. The director of the department of economic development and the commissioner of the office of administration may waive the requirement that the municipality's application be submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's approval by ordinance.

8. For purposes of this section, "new state revenues" means:

(1) The incremental increase in the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to the following:

(1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(a) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(b) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand;

(2) Blighted areas consisting solely of the site of a former automobile manufacturing plant located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing plant" means a redevelopment area containing a minimum of one hundred acres, and such redevelopment area was previously used primarily for the manufacture of automobiles but ceased such manufacturing after the 2007 calendar year; or

(3) Blighted areas consisting solely of the site of a former insurance company national service center containing a minimum of one hundred acres located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsection 4 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue or the estimate for the state income tax withheld by the employer on behalf of new employees expected to fill new jobs created within the redevelopment area after redevelopment;

(d) The official statement of any bond issue pursuant to this subsection after December 23, 1997;

(e) An affidavit that is signed by the developer or developers attesting that the provisions of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the redevelopment area would not be reasonably anticipated to be developed without the appropriation of the new state revenues;

(f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(g) The statement of election between the use of the incremental increase of the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area;

- (h) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;
- (i) The street address of the development site;
- (j) The three-digit North American Industry Classification System number or numbers characterizing the development project;
- (k) The estimated development project costs;
- (l) The anticipated sources of funds to pay such development project costs;
- (m) Evidence of the commitments to finance such development project costs;
- (n) The anticipated type and term of the sources of funds to pay such development project costs;
- (o) The anticipated type and terms of the obligations to be issued;
- (p) The most recent equalized assessed valuation of the property within the development project area;
- (q) An estimate as to the equalized assessed valuation after the development project area is developed in accordance with a development plan;
- (r) The general land uses to apply in the development area;
- (s) The total number of individuals employed in the development area, broken down by full-time, part-time, and temporary positions;
- (t) The total number of full-time equivalent positions in the development area;
- (u) The current gross wages, state income tax withholdings, and federal income tax withholdings for individuals employed in the development area;
- (v) The total number of individuals employed in this state by the corporate parent of any business benefitting from public expenditures in the development area, and all subsidiaries thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and temporary positions;
- (w) The number of new jobs to be created by any business benefitting from public expenditures in the development area, broken down by full-time, part-time, and temporary positions;
- (x) The average hourly wage to be paid to all current and new employees at the project site, broken down by full-time, part-time, and temporary positions;
- (y) For project sites located in a metropolitan statistical area, as defined by the federal Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in this state for the industries involved at the project, as established by the United States Bureau of Labor Statistics;
- (z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;
- (aa) A list of other community and economic benefits to result from the project;
- (bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from

which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars; provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve either:

(a) A former automobile manufacturing plant; or

(b) The retention of a federal employer employing over two thousand geospatial intelligence jobs.

At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in the aggregate. At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million dollars in the aggregate. To the extent a redevelopment plan

or project independently meets the eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time shall the annual amount of new state revenues for disbursements from the Missouri supplemental tax increment financing fund for such eligible redevelopment plan or project exceed twelve million dollars in the aggregate;

(4) At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans or projects approved on or after August 28, 2017, and before August 28, 2027, be increased by or exceed ten million dollars. Redevelopment plans or projects approved prior to August 28, 2017, which are expanded with buildings of new construction shall not be increased by more than ten million dollars in excess of the original previously approved maximum projected amount. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans or projects approved on or after August 28, 2027, exceed twenty million dollars; provided however, that such ceilings shall not apply to redevelopment plans or projects exempted from such ceilings under subdivision (3) of this subsection;

(5) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the “Missouri Supplemental Tax Increment Financing Fund”, to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsection 4 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited into the Missouri supplemental tax increment financing fund created under this section.

14. For redevelopment plans or projects approved by ordinance that result in net new jobs from the relocation of a national headquarters from another state to the area of the redevelopment project, the economic activity taxes and new state tax revenues shall not be based on a calculation of the incremental

increase in taxes as compared to the base year or prior calendar year for such redevelopment project, rather the incremental increase shall be the amount of total taxes generated from the net new jobs brought in by the national headquarters from another state. In no event shall this subsection be construed to allow a redevelopment project to receive an appropriation in excess of up to fifty percent of the new state revenues.

15. Notwithstanding any other provision of the law to the contrary, the adoption of any tax increment financing authorized under sections 99.800 to 99.865 shall not supersede, alter, or reduce in any way a property tax levied under section 205.971.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 302, Page 4, Section 135.963, Line 54, by inserting after said section and line the following:

“393.1130. 1. This section shall be known and may be cited as “The Nuclear Energy Standard”.

2. As used in this section, the following terms shall mean:

(1) “Commission”, the public service commission;

(2) “Small modular nuclear reactor”, a nuclear reactor based on fission that is approved under federal and state laws and regulations to be constructed in this state which produces less than three hundred megawatts of clean electrical energy; and

(3) “Utility”, any electrical corporation as defined under section 386.020, but this term shall not include any electrical corporation as defined and set forth under subsection 2 of section 393.110.

3. Upon the fulfillment of subsection 4 of this section, the commission shall prescribe by rule that all utilities in this state produce electricity using small modular nuclear reactors such that two percent of each utility’s total electricity retail sales are made based on electricity generated by such reactors. The commission shall have discretion with regard to the time for requiring compliance with the nuclear energy standard, but in no case shall it require full compliance less than three years from the fulfillment of the conditions for the effective date of this section. The commission may promulgate such rules or regulations as are necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

4. This section shall become effective only if a production facility for small modular nuclear reactors has been built in this state and is operational. A facility shall be classified as operational if such facility has produced no fewer than three small modular nuclear reactors in accordance with all federal and state laws and regulations, and such reactors are legally available for sale or use. If the commission determines that a production facility is properly operational in accordance with this section, then it shall comply with the requirements of subsection 3 of this section. The commission

shall notify the revisor of statutes when a facility has been built and becomes operational.

5. Notwithstanding subsection 3 to the contrary, a utility may petition the commission to satisfy the two percent generation requirement from renewable or hydroelectric sources, or with the purchase of renewable energy credits as defined in section 393.1025. The commission may grant such a petition upon a finding of undue hardship for compliance or due to a lack of increase in demand for energy generation by the utility.

393.1025. As used in sections 393.1020 to 393.1030, the following terms mean:

(1) “Commission”, the public service commission;

(2) “Department”, the department of natural resources;

(3) “Electric utility”, any electrical corporation as defined by section 386.020;

(4) “Renewable energy credit” or “REC”, a tradeable certificate of proof that one megawatt-hour of electricity has been generated from renewable energy sources; and

(5) “Renewable energy resources”, electric energy produced from wind, solar thermal sources, photovoltaic cells and panels, dedicated crops grown for energy production, cellulosic agricultural residues, plant residues, **processed solid biomass engineered fiber fuel as defined in section 393.1600**, methane from landfills, from agricultural operations, or from wastewater treatment, thermal depolymerization or pyrolysis for converting waste material to energy, clean and untreated wood such as pallets, hydropower (not including pumped storage) that does not require a new diversion or impoundment of water and that has a nameplate rating of ten megawatts or less, fuel cells using hydrogen produced by one of the above-named renewable energy sources, and other sources of energy not including nuclear that become available after November 4, 2008, and are certified as renewable by rule by the department.

393.1030. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility’s sales:

(1) No less than two percent for calendar years 2011 through 2013;

(2) No less than five percent for calendar years 2014 through 2017;

(3) No less than ten percent for calendar years 2018 through 2020; and

(4) No less than fifteen percent in each calendar year beginning in 2021.

At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirements shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as 1.25 kilowatt-hours for purposes of compliance. **Each kilowatt-hour of eligible energy generated from processed solid biomass engineered fiber fuel, as defined in section 393.1600, shall count as 1.50 kilowatt-hours for purposes of compliance.**

2. The commission, in consultation with the department and within one year of November 4, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may

exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1020 to 393.1030 and may not also be used to satisfy any similar nonfederal requirement. An electric utility may not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility's cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation. Notwithstanding the foregoing, until June 30, 2020, if the maximum average retail rate increase would be less than or equal to one percent if an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility is ignored for purposes of calculating the increase, then additional solar rebates shall be paid and included in rates in an amount up to the amount that would produce a retail rate increase equal to the difference between a one percent retail rate increase and the retail rate increase calculated when ignoring an electric utility's investment in solar-related projects initiated, owned, or operated by the electric utility. Notwithstanding any provision to the contrary in this section, even if the payment of additional solar rebates will produce a maximum average retail rate increase of greater than one percent when an electric utility's investment in solar-related projects initiated, owned or operated by the electric utility are included in the calculation, the additional solar rebate costs shall be included in the prudently incurred costs to be recovered as contemplated by subdivision (4) of this subsection;

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1 of this section. An electric utility will be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provision for recovery outside the context of a regular rate case of prudently incurred costs and the pass-through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. As provided for in this section, except for those electrical corporations that qualify for an exemption under section 393.1050, each electric utility shall make available to its retail customers a solar rebate for new or expanded solar electric systems sited on customers' premises, up to a maximum of twenty-five kilowatts per system, measured in direct current that were confirmed by the electric utility to have become operational in compliance with the provisions of section 386.890. The solar rebates shall be two dollars per watt for systems becoming operational on or before June 30, 2014; one dollar and fifty cents per watt for systems becoming operational between July 1, 2014, and June 30, 2015; one dollar per watt for systems becoming operational between July 1, 2015, and June 30, 2016; fifty cents per watt for systems becoming operational between July 1, 2016, and June 30, 2017; fifty cents per watt for systems becoming operational

between July 1, 2017, and June 30, 2019; twenty-five cents per watt for systems becoming operational between July 1, 2019, and June 30, 2020; and zero cents per watt for systems becoming operational after June 30, 2020. An electric utility may, through its tariffs, require applications for rebates to be submitted up to one hundred eighty-two days prior to the June thirtieth operational date. Nothing in this section shall prevent an electrical corporation from offering rebates after July 1, 2020, through an approved tariff. If the electric utility determines the maximum average retail rate increase provided for in subdivision (1) of subsection 2 of this section will be reached in any calendar year, the electric utility shall be entitled to cease paying rebates to the extent necessary to avoid exceeding the maximum average retail rate increase if the electrical corporation files with the commission to suspend its rebate tariff for the remainder of that calendar year at least sixty days prior to the change taking effect. The filing with the commission to suspend the electrical corporation's rebate tariff shall include the calculation reflecting that the maximum average retail rate increase will be reached and supporting documentation reflecting that the maximum average retail rate increase will be reached. The commission shall rule on the suspension filing within sixty days of the date it is filed. If the commission determines that the maximum average retail rate increase will be reached, the commission shall approve the tariff suspension. The electric utility shall continue to process and pay applicable solar rebates until a final commission ruling; however, if the continued payment causes the electric utility to pay rebates that cause it to exceed the maximum average retail rate increase, the expenditures shall be considered prudently incurred costs as contemplated by subdivision (4) of subsection 2 of this section and shall be recoverable as such by the electric utility. As a condition of receiving a rebate, customers shall transfer to the electric utility all right, title, and interest in and to the renewable energy credits associated with the new or expanded solar electric system that qualified the customer for the solar rebate for a period of ten years from the date the electric utility confirmed that the solar electric system was installed and operational.

4. The department shall, in consultation with the commission, establish by rule a certification process for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable to renewable energy resources shall be used to fulfill the portfolio requirements.

5. In carrying out the provisions of this section, the commission and the department shall include methane generated from the anaerobic digestion of farm animal waste and thermal depolymerization or pyrolysis for converting waste material to energy as renewable energy resources for purposes of this section.

6. The commission shall have the authority to promulgate rules for the implementation of this section, but only to the extent such rules are consistent with, and do not delay the implementation of, the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void."

620.3080. 1. As used in this section, the following terms shall mean:

(1) “Job creation, worker training, and infrastructure development programs”, the Missouri works program established under sections 620.2000 to 620.2020, Missouri business use incentives for large-scale development act established under sections 100.700 to 100.850, the Missouri works training program established under sections 620.800 to 620.809, and the real property tax increment allocation redevelopment act established under sections 99.800 to 99.865;

(2) “SMR production facility”, a facility which produces nuclear reactors based on fission that is approved under federal and state law and regulations to be constructed which produce less than three hundred megawatts of clean electrical energy.

2. Notwithstanding any other provision of law to the contrary, no benefits authorized under job creation, worker training, and infrastructure development programs for a SMR production facility shall be considered in determining compliance with applicable limitations on the aggregate amount of benefits that may be awarded annually or cumulatively under subdivision (3) of subsection 10 of section 99.845, subsection 5 of section 100.850, subsection 7 of section 620.809, and subsection 7 of section 620.2020. No SMR production facility shall be authorized for state benefits under job creation, worker training, and infrastructure development programs that exceed, in the aggregate, one hundred and fifty million dollars annually under all such programs.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 302, Page 4, Section 135.963, Line 54, by inserting immediately after said section and line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

- (1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
- (2) Establish one-way streets and provide for the regulation of vehicles thereon;
- (3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality. **The use by commercial motor vehicles of a municipality-designated route for such vehicles in compliance with any ordinances of the designating municipality**

shall not be deemed a nuisance or evidence of a nuisance. Nothing contained in this subdivision is intended to modify or limit recovery for any claim that is independent of a nuisance claim;

(5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

(7) Require the use of signaling devices on all motor vehicles; and

(8) Prohibit sound-producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial motor vehicles on all routes within the municipality. For purposes of this section, the term "route" shall mean any state road, county road, or public street, avenue, boulevard, or parkway.

6. No ordinance shall prohibit the operator of a motor vehicle from being in an intersection while a red signal is being displayed if the operator of the motor vehicle entered the intersection during a yellow signal interval. The provisions of this subsection shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision that are to the contrary."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 302, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"67.2050. 1. As used in this section, unless the context clearly indicates otherwise, the following terms mean:

(1) **"Facility", a location composed of real estate, buildings, fixtures, machinery, and equipment;**

(2) **"Municipality", any county, city, incorporated town, or village of the state;**

(3) **"NAICS", the 2007 edition of the North American Industry Classification System developed under the direction and guidance of the federal Office of Management and Budget. Any NAICS**

sector, subsector, industry group, or industry identified in this section shall include its corresponding classification in previous and subsequent federal industry classification systems;

(4) “Technology business facility”, a facility purchased, constructed, extended, or improved under this section, provided that such business facility is engaged in:

(a) Wired telecommunications carriers (NAICS 517110);

(b) Data processing, hosting, and related services (NAICS 518210); or

(c) Internet publishing and broadcasting and web search portals (NAICS 519130) at the business facility;

(5) “Technology business facility project” or “project”, the purchase, construction, extension, or improvement of technology business facilities, whether of the facility as a whole or of any one or more of the facility’s components of real estate, buildings, fixtures, machinery, and equipment.

2. The governing body of any municipality may:

(1) Carry out technology business facility projects for economic development under this section;

(2) Accept grants from the federal and state governments for technology business facility project purposes and may enter into such agreements as are not contrary to the laws of this state which may be required as a condition of grants by the federal government or its agencies; and

(3) Receive gifts and donations from private sources to be used for technology business facility project purposes.

3. The governing body of the municipality may enter into loan agreements, and may sell, lease, or mortgage to private persons, partnerships, or corporations any one or more of the components of a facility received, purchased, constructed, or extended by the municipality for development of a technology business facility project. The loan agreement, installment sale agreement, lease, or other such document shall contain such other terms as are agreed upon between the municipality and the obligor, provided that such terms shall be consistent with this section. If, in the judgment of the governing body of the municipality, the technology business facility project will result in economic benefits to the municipality, the governing body may lawfully enter into an agreement that includes nominal monetary consideration to the municipality in exchange for the use of one or more components of the facility.

4. Transactions involving the lease or rental of any components of a project under this section shall be specifically exempted from the provisions of the local sales tax law as defined under sections 32.085, 144.010 to 144.525, 144.600 to 144.761, and 238.235 and exempted from the computation of the tax levied, assessed, or payable under the local sales tax law as defined under sections 32.085, 144.010 to 144.525, 144.600 to 144.745, and 238.235.

5. Leasehold interests granted and held under this section shall not be subject to property taxes.

6. Any payments in lieu of taxes expected to be made by any lessee of the project shall be applied in accordance with this section. The lessee may reimburse the municipality for its actual costs of administering the plan. All amounts paid in excess of such actual costs shall, immediately upon receipt thereof, be disbursed by the municipality’s treasurer or other financial officer to each affected taxing

entity in proportion to the current ad valorem tax levy of each affected taxing entity.

7. The county assessor shall include the current assessed value of all property within the affected taxing entities in the aggregate valuation of assessed property entered upon the assessor's book and verified under section 137.245, and such value shall be used for the purpose of the debt limitation on local government under article VI, section 26(b) of the Constitution of Missouri.

8. The governing body of any municipality may sell or otherwise dispose of the property, buildings, or plants acquired under this section to private persons or corporations for technology business facility project purposes upon approval by the governing body. The terms and method of the sale or other disposal shall be established by the governing body so as to reasonably protect the economic well-being of the municipality and to promote the development of technology business facility projects. A private person or corporation that initially transfers property to the municipality for the purposes of a technology business facility project and that does not charge a purchase price to the municipality shall retain the right, upon request to the municipality, to have the municipality retransfer the donated property to the person or corporation at no cost.

9. The provisions of this section shall not be construed to allow political subdivisions to provide telecommunications services or telecommunications facilities to the extent that they are prohibited from doing so under section 392.410.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SS for SB 34**, entitled:

An Act to repeal sections 160.261, 167.117, 479.170, 488.029, 488.5050, 557.035, 565.076, 565.091, 566.010, 575.280, 577.001, 577.010, 577.060, and 595.045, RSMo, and to enact in lieu thereof sixteen new sections relating to criminal offenses, with penalty provisions and an emergency clause for certain sections.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 5, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6 Part 1, Part 2, House Amendment No. 2 to House Substitute Amendment No. 1 for House Amendment No. 6, House Amendment No. 3 to House Substitute Amendment No. 1 for House Amendment No. 6, House Substitute Amendment No. 1 for House Amendment No. 6, as amended, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 2 to House Amendment No. 7, House Amendment No. 7, as amended, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 2 to House Amendment No. 8, House Amendment No. 8 as amended, House Amendment No. 9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 2 to House Amendment No. 10, and House Amendment No. 10, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 11, Section 557.035, Line 13, by inserting immediately after said section and line the following:

“565.002. As used in this chapter, unless a different meaning is otherwise plainly required the following

terms mean:

- (1) “Adequate cause”, cause that would reasonably produce a degree of passion in a person of ordinary temperament sufficient to substantially impair an ordinary person’s capacity for self-control;
- (2) “Child”, a person under seventeen years of age;
- (3) “Conduct”, includes any act or omission;
- (4) “Course of conduct”, a pattern of conduct composed of two or more acts, which may include communication by any means, over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of course of conduct. Such constitutionally protected activity includes picketing or other organized protests;
- (5) “Deliberation” means cool reflection for any length of time no matter how brief;
- (6) “Domestic victim”, a household or family member as the term “family” or “household member” is defined in section 455.010, including any child who is a member of the household or family;
- (7) “Emotional distress”, something markedly greater than the level of uneasiness, nervousness, unhappiness, or the like which are commonly experienced in day-to-day living;
- (8) “Full or partial nudity”, the showing of all or any part of the human genitals, pubic area, buttock, or any part of the nipple of the breast of any female person, with less than a fully opaque covering;
- (9) “Legal custody”, the right to the care, custody and control of a child;
- (10) “Parent”, either a biological parent or a parent by adoption;
- (11) “Person having a right of custody”, a parent or legal guardian of the child;
- (12) “Photographs” or “films”, the making of any photograph, motion picture film, videotape, or any other recording or transmission of the image of a person;
- (13) “Place where a person would have a reasonable expectation of privacy”, any place where a reasonable person would believe that a person could disrobe in privacy, without being concerned that the person’s undressing was being viewed, photographed or filmed by another;
- (14) “Special victim”, any of the following:
 - (a) A law enforcement officer assaulted in the performance of his or her official duties or as a direct result of such official duties;
 - (b) Emergency personnel, any paid or volunteer firefighter, emergency room, **hospital**, or trauma center personnel, or emergency medical technician, assaulted in the performance of his or her official duties or as a direct result of such official duties;
 - (c) A probation and parole officer assaulted in the performance of his or her official duties or as a direct result of such official duties;
 - (d) An elderly person;
 - (e) A person with a disability;
 - (f) A vulnerable person;

(g) Any jailer or corrections officer of the state or one of its political subdivisions assaulted in the performance of his or her official duties or as a direct result of such official duties;

(h) A highway worker in a construction or work zone as the terms “highway worker”, “construction zone”, and “work zone” are defined under section 304.580;

(i) Any utility worker, meaning any employee of a utility that provides gas, heat, electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, or cooperatively owned, while in the performance of his or her job duties, including any person employed under a contract;

(j) Any cable worker, meaning any employee of a cable operator, as such term is defined in section 67.2677, including any person employed under contract, while in the performance of his or her job duties; and

(k) Any employee of a mass transit system, including any employee of public bus or light rail companies, while in the performance of his or her job duties;

(15) “Sudden passion”, passion directly caused by and arising out of provocation by the victim or another acting with the victim which passion arises at the time of the offense and is not solely the result of former provocation;

(16) “Trier”, the judge or jurors to whom issues of fact, guilt or innocence, or the assessment and declaration of punishment are submitted for decision;

(17) “Views”, the looking upon of another person, with the unaided eye or with any device designed or intended to improve visual acuity, for the purpose of arousing or gratifying the sexual desire of any person.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 21, Section 577.685, Line 4, by deleting the word “**Enters**” and inserting in lieu thereof the words “**Illegally enters**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Section A, Line 5, by inserting after all of said line the following:

“105.669. 1. Any participant of a plan who is [found guilty] **convicted** of a felony offense listed in subsection 3 of this section, which is committed in direct connection with or directly related to the participant’s duties as an employee on or after August 28, 2014, shall not be eligible to receive any retirement benefits from the respective plan based on service rendered on or after August 28, 2014, except a participant may still request from the respective retirement system a refund of the participant’s plan contributions, including interest credited to the participant’s account.

2. [Upon a finding of guilt, the court shall forward a notice of the court’s finding to] **The employer of any participant who is charged or convicted of a felony offense listed in subsection 3 of this section,**

which is committed in direct connection with or directly related to the participant's duties as an employee on or after August 28, 2014, shall notify the appropriate retirement system in which the offender was a participant[. The court shall also make a determination on the value of the money, property, or services involved in committing the offense] **and provide information in connection with such charge or conviction.** The plans shall take all actions necessary to implement the provisions of this section.

3. [The finding of guilt for] **A felony conviction based on** any of the following offenses or a substantially similar offense provided under federal law shall result in the ineligibility of retirement benefits as provided in subsection 1 of this section:

(1) The offense of felony stealing under section 570.030 when such offense involved money, property, or services valued at five thousand dollars or more [as determined by the court];

(2) The offense of felony receiving stolen property under section 570.080, **as it existed before January 1, 2017**, when such offense involved money, property, or services valued at five thousand dollars or more [as determined by the court];

(3) The offense of forgery under section 570.090;

(4) The offense of felony counterfeiting under section 570.103;

(5) The offense of bribery of a public servant under section 576.010; or

(6) The offense of acceding to corruption under section 576.020.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 21, Section 577.685, Line 15, by inserting immediately after said section and line the following:

“595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from gainful employment. “Out-of-pocket loss” shall mean unreimbursed or unreimbursable expenses or indebtedness reasonably incurred:

(1) For medical care or other services, including psychiatric, psychological or counseling expenses, necessary as a result of the crime upon which the claim is based, except that the amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not exceed two thousand five hundred dollars; or

(2) As a result of personal property being seized in an investigation by law enforcement.

Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal to the loss sustained, but shall not exceed two hundred fifty dollars.

2. No compensation shall be paid unless the department of public safety finds that a crime was committed, that such crime directly resulted in personal physical injury to, or the death of, the victim, and that police records show that such crime was promptly reported to the proper authorities. In no case may compensation be paid if the police records show that such report was made more than forty-eight hours after the occurrence of such crime, unless the department of public safety finds that the report to the police was

delayed for good cause. If the victim is under eighteen years of age such report may be made by the victim's parent, guardian or custodian; by a physician, a nurse, or hospital emergency room personnel; by the children's division personnel; or by any other member of the victim's family. In the case of a sexual offense, filing a report of the offense to the proper authorities may include, but not be limited to, the filing of the report of the forensic examination by the appropriate medical provider, as defined in section 595.220, with the prosecuting attorney of the county in which the alleged incident occurred.

3. No compensation shall be paid for medical care if the service provider is not a medical provider as that term is defined in section 595.027, and the individual providing the medical care is not licensed by the state of Missouri or the state in which the medical care is provided.

4. No compensation shall be paid for psychiatric treatment or other counseling services, including psychotherapy, unless the service provider is a:

(1) Physician licensed pursuant to chapter 334 or licensed to practice medicine in the state in which the service is provided;

(2) Psychologist licensed pursuant to chapter 337 or licensed to practice psychology in the state in which the service is provided;

(3) Clinical social worker licensed pursuant to chapter 337;

(4) Professional counselor licensed pursuant to chapter 337; or

(5) Board-certified psychiatric-mental health clinical nurse specialist or board certified psychiatric-mental health nurse practitioner licensed under chapter 335 or licensed in the state in which the service is provided.

5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or support from gainful employment, not to exceed four hundred dollars per week, resulting from such injury or death. In the event of death of the victim, **a claim for** an award may be made for reasonable and necessary expenses actually incurred for preparation and burial not to exceed five thousand dollars **by the funeral home or a relative of the victim.**

6. Any compensation for loss of earnings or support from gainful employment shall be in an amount equal to the actual loss sustained not to exceed four hundred dollars per week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed twenty-five thousand dollars. If two or more persons are entitled to compensation as a result of the death of a person which is the direct result of a crime or in the case of a sexual assault, the compensation shall be apportioned by the department of public safety among the claimants in proportion to their loss.

7. The method and timing of the payment of any compensation pursuant to sections 595.010 to 595.075 shall be determined by the department.

8. The department shall have the authority to negotiate the costs of medical care or other services directly with the providers of the care or services on behalf of any victim receiving compensation pursuant to sections 595.010 to 595.075.”; and

Further amend said bill and page, Section 595.045, Lines 14 and 15, by deleting said lines in inserting in lieu thereof the following:

“3. The director of revenue shall deposit annually the amount of **at least** two hundred fifty thousand **dollars but no more than one million** dollars to the state forensic laboratory account administered by the department of public”; and

Further amend said bill and section, Page 23, Lines 59 and 60, by deleting said lines in inserting in lieu thereof the following:

“A or B felony; **fifty-five dollars upon a plea of guilty or a finding of guilt for a class C felony;** forty-six dollars upon a plea of guilty or finding of guilt for a class [C or] D **or** “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 6
PART I

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Lines 8 and 15, Page 2, Lines 25 and 41, and Page 3, Lines 14, 27, and 40, by deleting in all instances the phrase “**or as a first responder, as defined in 67.145,**”; and

HOUSE AMENDMENT NO. 1 TO
HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 6
PART II

Further amend said amendment, Page 3, Line 42, by inserting immediately after said line the following:

“Further amend said bill, Page 24, Section 595.045, Line 118, by inserting immediately after all of said section and line the following:

“650.520. 1. There is hereby created a statewide program called the “Blue Alert System” referred to in this section as the “system” to aid in the identification, location, and apprehension of any individual or individuals suspected of killing or seriously wounding any local, state, or federal law enforcement officer.

2. For the purposes of this section, “law enforcement officer” means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States.

3. The department of public safety shall develop regions to provide the system. The department of public safety shall coordinate local law enforcement agencies and public commercial television and radio broadcasters to provide an effective system. In the event that a local law enforcement agency opts not to set up a system and a killing or serious wounding of a law enforcement officer occurs within the jurisdiction, it shall notify the department of public safety who will notify local media in the region.

4. The blue alert system shall include all state agencies capable of providing urgent and timely information to the public together with broadcasters and other private entities that volunteer to participate in the dissemination of urgent public information. At a minimum, the blue alert system

shall include the department of public safety, highway patrol, department of transportation, and Missouri lottery.

5. The department of public safety shall have the authority to develop, implement, and manage the blue alert system.

6. Participation in a blue alert system is entirely at the option of local law enforcement agencies, federally licensed radio and television broadcasters, and other private entities that volunteer to participate in the dissemination of urgent public information.

7. Any person who knowingly makes a false report that triggers an alert under this section is guilty of a class A misdemeanor; except that, if the false report results in serious physical injury or death, such person is guilty of a class E felony.

8. The department of public safety may promulgate rules for the implementation of the blue alert system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 3, Line 43, by inserting immediately after said line the following:

“Further amend said bill, Page 24, Section 594.045, Line 118, by inserting immediately after said section and line the following:

“Section 1. If a blue alert is triggered under section 650.520, such alert shall include an advisory to the public that it should contact the local law enforcement agency to report information and should not attempt to follow the suspect or apprehend the suspect.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3 TO
HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Lines 7 and 14, Page 2, Lines 24 and 40, and Page 3, Lines 13, 26, and 39, by deleting in all instances the phrase “due to his or her employment”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 11, Section 557.035, Line 13, by inserting immediately after said section and line the following:

“565.024. 1. A person commits the offense of involuntary manslaughter in the first degree if he or she recklessly causes the death of another person.

2. The offense of involuntary manslaughter in the first degree is a class C felony, **unless the victim is intentionally targeted due to his or her employment as a law enforcement officer, as defined in 556.061, or as a first responder, as defined in 67.145, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer or first responder, in which case it is a class B felony.**

565.027. 1. A person commits the offense of involuntary manslaughter in the second degree if he or she acts with criminal negligence to cause the death of any person.

2. The offense of involuntary manslaughter in the second degree is a class E felony, **unless the victim is intentionally targeted due to his or her employment as a law enforcement officer, as defined in 556.061, or as a first responder, as defined in 67.145, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer or first responder, in which case it is a class D felony.”; and**

Further amend said bill, Page 12, Section 565.091, Line 12, by inserting immediately after all of said section and line the following:

“565.225. 1. As used in this section and section 565.227, the term “disturbs” shall mean to engage in a course of conduct directed at a specific person that serves no legitimate purpose and that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

2. A person commits the offense of stalking in the first degree if he or she purposely, through his or her course of conduct, disturbs or follows with the intent of disturbing another person and:

(1) Makes a threat communicated with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety, the safety of his or her family or household member, or the safety of domestic animals or livestock as defined in section 276.606 kept at such person’s residence or on such person’s property. The threat shall be against the life of, or a threat to cause physical injury to, or the kidnapping of the person, the person’s family or household members, or the person’s domestic animals or livestock as defined in section 276.606 kept at such person’s residence or on such person’s property; or

(2) At least one of the acts constituting the course of conduct is in violation of an order of protection and the person has received actual notice of such order; or

(3) At least one of the actions constituting the course of conduct is in violation of a condition of probation, parole, pretrial release, or release on bond pending appeal; or

(4) At any time during the course of conduct, the other person is seventeen years of age or younger and the person disturbing the other person is twenty-one years of age or older; or

(5) He or she has previously been found guilty of domestic assault, violation of an order of protection,

or any other crime where the other person was the victim; or

(6) At any time during the course of conduct, the other person is a participant of the address confidentiality program under sections 589.660 to 589.681, and the person disturbing the other person knowingly accesses or attempts to access the address of the other person.

3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

4. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

5. The offense of stalking in the first degree is a class E felony, unless the defendant has previously been found guilty of a violation of this section or section 565.227, or any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.227, **or unless the victim is intentionally targeted due to his or her employment as a law enforcement officer, as defined in 556.061, or as a first responder, as defined in 67.145, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer or first responder**, in which case stalking in the first degree is a class D felony.

565.227. 1. A person commits the offense of stalking in the second degree if he or she purposely, through his or her course of conduct, disturbs, or follows with the intent to disturb another person.

2. This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of any violation of federal, state, county, or municipal law.

3. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

4. The offense of stalking in the second degree is a class A misdemeanor, unless the defendant has previously been found guilty of a violation of this section or section 565.225, or of any offense committed in another jurisdiction which, if committed in this state, would be chargeable or indictable as a violation of any offense listed in this section or section 565.225, **or unless the victim is intentionally targeted due to his or her employment as a law enforcement officer, as defined in 556.061, or as a first responder, as defined in 67.145, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer or first responder**, in which case stalking in the second degree is a class E felony.”; and

Further amend said bill, Page 13, Section 566.010, Line 40, by inserting immediately after said section and line the following:

“569.100. 1. A person commits the offense of property damage in the first degree if such person:

(1) Knowingly damages property of another to an extent exceeding seven hundred fifty dollars; or

(2) Damages property to an extent exceeding seven hundred fifty dollars for the purpose of defrauding an insurer; or

(3) Knowingly damages a motor vehicle of another and the damage occurs while such person is making entry into the motor vehicle for the purpose of committing the crime of stealing therein or the damage

occurs while such person is committing the crime of stealing within the motor vehicle.

2. The offense of property damage in the first degree committed under subdivision (1) or (2) of subsection 1 of this section is a class E felony, **unless the offense of property damage in the first degree was committed under subdivision (1) of subsection 1 of this section and the victim was intentionally targeted due to his or her employment as a law enforcement officer, as defined in 556.061, or as a first responder, as defined in 67.145, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer or first responder, in which case it is a class D felony.** The offense of property damage in the first degree committed under subdivision (3) of subsection 1 of this section is a class D felony unless committed as a second or subsequent violation of subdivision (3) of subsection 1 of this section in which case it is a class B felony.

569.120. 1. A person commits the offense of property damage in the second degree if he or she:

- (1) Knowingly damages property of another; or
- (2) Damages property for the purpose of defrauding an insurer.

2. The offense of property damage in the second degree is a class B misdemeanor, **unless the offense of property damage in the second degree was committed under subdivision (1) of subsection 1 of this section and the victim was intentionally targeted due to his or her employment as a law enforcement officer, as defined in 556.061, or as a first responder, as defined in 67.145, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer or first responder, in which it is a class A misdemeanor.**

569.140. 1. A person commits the offense of trespass in the first degree if he or she knowingly enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure or upon real property.

2. A person does not commit the offense of trespass in the first degree by entering or remaining upon real property unless the real property is fenced or otherwise enclosed in a manner designed to exclude intruders or as to which notice against trespass is given by:

- (1) Actual communication to the actor; or
- (2) Posting in a manner reasonably likely to come to the attention of intruders.

3. The offense of trespass in the first degree is a class B misdemeanor, **unless the victim is intentionally targeted due to his or her employment as a law enforcement officer, as defined in 556.061, or as a first responder, as defined in 67.145, or the victim is targeted because he or she is a relative within the second degree of consanguinity or affinity to a law enforcement officer or first responder, in which case it is a class A misdemeanor.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Line 17, by inserting after said line the following:

“Further amend said bill, Page 21, Section 577.685, Line 15, by inserting immediately after all of said section and line the following:

“589.664. 1. If an individual is a participant in the Address Confidentiality Program pursuant to section 589.663, no person or entity shall be compelled to disclose the participant’s actual address during the discovery phase of or during a proceeding before a court or other tribunal unless the court or tribunal first finds, on the record, that:

(1) There is a reasonable belief that the address is needed to obtain information or evidence without which the investigation, prosecution, or litigation cannot proceed; and

(2) There is no other practicable way of obtaining the information or evidence.

2. The court must first provide the program participant and the secretary of state notice that address disclosure is sought.

3. The program participant shall have an opportunity to present evidence regarding the potential harm to the safety of the program participant if the address is disclosed. In determining whether to compel disclosure, the court must consider whether the potential harm to the safety of the participant is outweighed by the interest in disclosure. In a criminal proceeding, the court must order disclosure of a program participant’s address if protecting the address would violate a defendant’s constitutional right to confront a witness.

4. Notwithstanding any other provision in law, no court shall order an individual who has had their application accepted by the secretary to disclose their actual address or location of their residence without giving the secretary proper notice. The secretary shall have the right to intervene in any civil proceeding in which a court is considering a participant to disclose their actual address.

5. Disclosure of a participant’s actual address under this section shall be limited under the terms of the order to ensure that the disclosure and dissemination of the actual address will be no wider than necessary for the purposes of the investigation, prosecution, or litigation.

6. Nothing in this section prevents the court or other tribunal from issuing a protective order to prevent disclosure of information other than the participant’s actual address that could reasonably lead to the discovery of the program participant’s location.

589.675. If the secretary deems it appropriate, the secretary [shall] **may** make a program participant’s address and mailing address available for inspection or copying [under the following circumstances:

(1)] to a person identified in a court order, upon the secretary’s receipt of such court order that **complies with section 559.664** [specifically orders the disclosure of a particular program participant’s address and mailing address and the reasons stated for the disclosure; or

(2) If the certification has been cancelled because the applicant or program participant violated subdivision (2) of section 589.663].”; and

Further amend said bill, Page 24, Section B, Lines 1-2, by deleting said lines and inserting in lieu thereof the following:

“Section B. Because immediate action is necessary to protect the citizens of Missouri from criminal offenses, the repeal and reenactment of sections”; and

Further amend said bill, page, and section, Lines 3 and 8, by inserting immediately after the number “577.010,” the number “589.675.”; and

Further amend said bill, page, and section, Lines 4 and 8, by deleting the phrase “section 252.069” in both instances and inserting in lieu thereof the phrase “sections 252.069 and 589.664”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Line 14, by inserting after the word “pool,” the phrase “**swimming beach,**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 13, Section 566.010, Line 40, by inserting immediately after said section and line the following:

“566.150. 1. Any person who has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; section 573.200, use of a child in a sexual performance; section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography; or section 573.040, furnishing pornographic material to minors; or

(2) Any offense in any other jurisdiction which, if committed in this state, would be a violation listed in this section;

shall not knowingly be present in or loiter within five hundred feet of any real property comprising any public park with playground equipment [or], a public swimming pool, **or any museum with the primary purpose of entertaining or educating children under eighteen years of age.**

2. The first violation of the provisions of this section is a class E felony.

3. A second or subsequent violation of this section is a class D felony.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 2, Line 7, by inserting after all of said line the following:

“Further amend said bill, Page 9, Section 252.069, Line 3, by inserting immediately after all of said section and line the following:

“479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality. The method of selection of municipal judges shall be provided by charter

or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person's seventy-fifth birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.

9. No municipal judge shall serve as a municipal judge in more than five municipalities at one time. **A court that serves more than one municipality shall be treated as a single municipality for the purposes of this subsection.**"; and

Further amend said bill and page, Section 479.170, Line 10, by inserting immediately after all of said section and line the following:

"479.353. 1. Notwithstanding any provisions to the contrary, the following conditions shall apply to minor traffic violations and municipal ordinance violations:

(1) The court shall not assess a fine, if combined with the amount of court costs, totaling in excess of:

(a) Two hundred twenty-five dollars for minor traffic violations; and

(b) For municipal ordinance violations committed within a twelve-month period beginning with the first violation: two hundred dollars for the first municipal ordinance violation, two hundred seventy-five dollars for the second municipal ordinance violation, three hundred fifty dollars for the third municipal ordinance violation, and four hundred fifty dollars for the fourth and any subsequent municipal ordinance violations;

(2) The court shall not sentence a person to confinement, except the court may sentence a person to confinement for any violation involving alcohol or controlled substances, violations endangering the health or welfare of others, or eluding or giving false information to a law enforcement officer;

(3) A person shall not be placed in confinement for failure to pay a fine unless such nonpayment violates terms of probation or unless the due process procedures mandated by Missouri supreme court rule 37.65 or its successor rule are strictly followed by the court;

(4) Court costs that apply shall be assessed against the defendant unless the court finds that the defendant is indigent based on standards set forth in determining such by the presiding judge of the circuit. Such standards shall reflect model rules and requirements to be developed by the supreme court; and

(5) No court costs shall be assessed if the defendant is found to be indigent under subdivision (4) of this section or if the case is dismissed.

2. When an individual has been held in custody on a notice to show cause warrant for an underlying minor traffic violation, the court, on its own motion or on the motion of any interested party, may review the original fine and sentence and waive or reduce such fine or sentence when the court finds it reasonable given the circumstances of the case.

479.354. For any notice to appear in court, citation, or summons on a minor traffic violation, the date and time the defendant is to appear in court shall be given when such notice to appear in court, citation, or summons is first provided to the defendant. Failure to provide such date and time shall render such notice to appear in court, citation, or summons void.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Lines 1 through 2, by deleting all of said lines and inserting in lieu thereof the following:

“Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 9, Section 252.069, Line 3, by inserting after said section and line the following:

“302.335. 1. Except as otherwise provided in subsection 2 of this section, any motorist charged with a traffic violation in this state or any county or municipality of this state shall receive notification, in person, within twenty-four hours of the violation from a law enforcement officer employed by the law enforcement agency issuing the violation.

2. The in-person notification requirement of subsection 1 of this section shall not apply to:

(1) Parking tickets;

(2) Violations under section 577.060;

(3) Incidents requiring further investigation; or

(4) Any other situation in which in-person notification is not possible.

304.288. 1. As used in this section “automated traffic enforcement system” means a camera or optical device designed to record images that depict the motor vehicle, the motor vehicle operator, the license plate of the motor vehicle, or other images to establish evidence that the motor vehicle or its operator is not in compliance with state law, ordinance, order, or other provision.

2. Beginning on the effective date of this section, no county, city, town, village, municipality, state agency, or other political subdivision of this state may enact, adopt, or enforce any law, ordinance, regulation, order, or other provision that authorizes the use of an automated traffic enforcement system or systems to establish evidence that a motor vehicle or its operator is not in compliance with traffic signals, traffic speeds, or other traffic laws, ordinances, rules, or regulations on any public street, road, or highway within this state or to impose or collect any civil or criminal fine, fee, or penalty for any such noncompliance, except as permitted under subsection 3 of this section.

3. Any county, city, town, village, municipality, state agency, or other political subdivision of this state that has an automated traffic enforcement system installation or maintenance contract with a company or entity on the effective date of this section shall arrange to complete or terminate the contract within one year after the effective date of this section. The provisions of subsection 2 of this section shall apply to the county, city, town, village, municipality, state agency, or other political subdivision after the termination or completion of such installation or maintenance contracts.

4. Notwithstanding any other provision of law to the contrary, no county, city, town, village, municipality, state agency, or political subdivision shall be exempted from the provisions of this section except by explicit reference to, or modification of, this section

5. This section shall not apply to any data or information recorded at weigh stations managed by the department of transportation or the highway patrol.”; and

Further amend said bill, Page 11, Section 557.035, Line 13, by inserting immediately after said section and line the following:”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Section A, Line 5, by inserting after said section and line the following:

“67.307. 1. As used in this section, the following terms mean:

(1) “Law enforcement officer”, a sheriff or peace officer of a municipality with the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of municipalities;

(2) “Municipality”, any county, city, town, or village;

(3) “Municipality official”, any elected or appointed official or any law enforcement officer serving the municipality;

(4) “Sanctuary policy”, any municipality’s order [or], ordinance, **or law enforcement policy, regardless of whether formally enacted or [followed] informally adopted,** that:

(a) Limits or prohibits any municipality official or person employed by the municipality from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any alien within such municipality; [or]

(b) Grants to illegal aliens the right to lawful presence or status within the municipality in violation of federal law[.];

(c) **Violates 8 U.S.C. Section 1373 in any way;**

(d) **Restricts in any way, or imposes any conditions upon, the municipality’s cooperation or compliance with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of any alien or to transfer any alien to the custody of United States Immigration and Customs Enforcement;**

(e) **Requires United States Immigration and Customs Enforcement to obtain a warrant or demonstrate probable cause before complying with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of any alien or to transfer any alien to the custody of United States Immigration and Customs Enforcement; or**

(f) **Prevents the municipality’s law enforcement officers from asking any individual his or her citizenship or immigration status.**

2. No municipality shall enact or adopt any sanctuary policy. Any municipality that enacts or adopts a sanctuary policy shall be ineligible for any moneys provided through grants administered by any state agency or department until the sanctuary policy is repealed or is no longer in effect. Upon the complaint of any state resident regarding a specific government entity, agency, or political subdivision of this state or prior to the provision of funds or awarding of any grants to a government entity, agency, or political subdivision of this state, any member of the general assembly may request that the attorney general of the state of Missouri issue an opinion stating whether the government entity, agency, or political subdivision has current policies in contravention of this section.

3. The governing body, sheriff, or chief of police of each municipality shall provide each law enforcement officer with written notice of their duty to cooperate with state and federal agencies and officials on matters pertaining to enforcement of state and federal laws governing immigration.

4. This section shall become effective on January 1, 2009.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Section A, Line 5, by inserting after all of said line the following:

“105.713. 1. By no later than the final business day of the month of September 2017, and the last business day of each calendar month thereafter, the attorney general and the commissioner of administration shall submit a report to the general assembly and to the director of the Missouri department of corrections, the speaker of the house of representatives, the president pro tempore of

the senate, the chair of the house budget committee or its successor committee, the chair of the house committee on corrections and public institutions or its successor committee, and the chair of the subcommittee on appropriations - public safety, corrections, transportation, and revenue or its successor committee detailing the last twelve months of activity, terminating the month prior to the month in which the report is made, concerning the state legal expense fund, including:

(1) Each settlement or judgment from such fund, delineated by payee, which shall include the case name and number of any settlement or judgment payments from such fund;

(2) Each individual deposit to such fund, including:

(a) The transferring state fund's name and section number authorizing the transfer of such funds; and

(b) The case name and case number that correspond to any settlement or judgment authorized under section 105.711 for which the deposit is being made; and

(3) The total amount of expenses from such fund's creation for each case included in the report.

2. In cases concerning the legal expenses incurred by the department of transportation, department of conservation, or a public institution that awards baccalaureate degrees, the report required under subsection 1 of this section shall be submitted by the legal counsel provided by the respective entity and by the designated keeper of accounts of the respective entity.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 4, Lines 26 and 27, by deleting said lines and inserting in lieu thereof the following:

“section shall refund such additional premiums for the three-year period immediately prior to the entry of the expungement by the court to the policyholder upon notification and verification of the expungement.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 10, Section 488.5050, Line 20, by inserting immediately after said section and line the following:

“513.655. 1. No law enforcement agency or prosecuting authority shall enter into an agreement to transfer or refer seized property to a federal agency directly, indirectly, by adoption, through an intergovernmental joint task force, or by any other means for the purposes of forfeiture litigation unless the seized property includes United States currency in excess of one hundred thousand dollars.

2. All law enforcement agencies shall refer seized property to the appropriate prosecuting authority for forfeiture litigation unless the seized property includes United States currency in excess of one hundred thousand dollars. If seized property includes United States currency in excess of one hundred thousand dollars, the law enforcement agency may refer or transfer the seized property to either a:

(1) Federal agency for forfeiture litigation under federal law; or

(2) Local or state agency for forfeiture litigation under state law.

3. Nothing in subsection 1 or 2 of this section shall be construed to restrict a law enforcement agency from collaborating with a federal agency through an intergovernmental joint task force to seize contraband or property that the law enforcement agency has probable cause to believe is the proceeds or instruments of a crime.”; and

Further amend said bill, Page 13,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 13, Section 566.010, Line 40, by inserting immediately after said section and line the following:

“568.040. 1. A person commits the offense of nonsupport if he or she knowingly fails to provide adequate support for his or her spouse; a parent commits the offense of nonsupport if such parent knowingly fails to provide adequate support which such parent is legally obligated to provide for his or her child or stepchild who is not otherwise emancipated by operation of law.

2. For purposes of this section:

(1) “Arrearage”:

(a) The amount of moneys created by a failure to provide support to a child under an administrative or judicial support order;

(b) Support to an estranged or former spouse if the judgment or order requiring payment of spousal support also requires payment of child support and such estranged or former spouse is the custodial parent; or

(c) Both paragraphs (a) and (b).

The arrearage shall reflect any retroactive support ordered under a modification and any judgments entered by a court of competent jurisdiction or any authorized agency and any satisfactions of judgment filed by the custodial parent;

(2) “Child” means any biological or adoptive child, or any child whose paternity has been established under chapter 454, or chapter 210, or any child whose relationship to the defendant has been determined, by a court of law in a proceeding for dissolution or legal separation, to be that of child to parent;

[(2)] (3) “Good cause” means any substantial reason why the defendant is unable to provide adequate support. Good cause does not exist if the defendant purposely maintains his inability to support;

[(3)] (4) “Support” means food, clothing, lodging, and medical or surgical attention;

[(4)] (5) It shall not constitute a failure to provide medical and surgical attention, if nonmedical remedial treatment recognized and permitted under the laws of this state is provided.

3. Inability to provide support for good cause shall be an affirmative defense under this section. A defendant who raises such affirmative defense has the burden of proving the defense by a preponderance of the evidence.

4. The defendant shall have the burden of injecting the issues raised by subdivision [(4)] (5) of subsection 2 of this section.

5. The offense of criminal nonsupport is a class A misdemeanor, unless the total arrearage is in excess of an aggregate of twelve monthly payments due under any order of support issued by any court of competent jurisdiction or any authorized administrative agency, in which case it is a class E felony.

6. (1) If at any time an offender convicted of criminal nonsupport **or pleads guilty to a charge of criminal nonsupport** is placed on probation or parole, there may be ordered as a condition of probation or parole that the offender commence payment of current support as well as satisfy the arrearages. Arrearages may be satisfied first by making such lump sum payment as the offender is capable of paying, if any, as may be shown after examination of the offender's financial resources or assets, both real, personal, and mixed, and second by making periodic payments. Periodic payments toward satisfaction of arrears when added to current payments due [may] **shall** be in such aggregate sums as is not greater than fifty percent of the offender's adjusted gross income after deduction of payroll taxes, medical insurance that also covers a dependent spouse or children, and any other court- or administrative-ordered support, only.

(2) If the offender fails to pay the [current] support and arrearages [as ordered] **under the terms of his or her probation**, the court may revoke probation or parole and then impose an appropriate sentence within the range for the class of offense that the offender was convicted of as provided by law, unless the offender proves good cause for the failure to pay as required under subsection 3 of this section.

(3) (a) **An individual whose children were the subject of a child support order and the obligation of such individual to make child support payments has been terminated under subsection 3 of section 452.340, who has pled guilty to or has been convicted of a felony offense for criminal nonsupport under this section, and who has successfully completed probation after a plea of guilty or was sentence may petition the court for expungement of all official records all recordings of his or her arrest, plea, trial, or conviction. If the court determines after hearing that such person:**

a. **Has not been convicted of any subsequent offense, unless such offense is eligible for expungement under a different section;**

b. **Does not have any other felony pleas of guilt, findings of guilt, or convictions, unless such felony pleas of guilt, findings of guilt, or convictions are eligible for expungement under a different section;**

c. **Has paid off all arrearages; and**

d. **Has no administrative child support actions pending at the time of the hearing on the application for expungement with respect to all children subject to orders of payment of child support**

the court shall enter an order of expungement. In addition, the court may consider successful completion of a criminal nonsupport courts program under section 478.1000, or any other circumstances or factors deemed relevant by the court.

(b) Upon granting the order of expungement, the records and files maintained in any court proceeding in an associate or a circuit division of the circuit court under this section shall be confidential and only available to the parties or by order of the court for good cause shown.

(c) The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea, or conviction, and as if such event had never taken place. No person for whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever and no such inquiry shall be made for information relating to an expungement under this section.

(d) A person shall only be entitled to one expungement under this section. Nothing in this section shall prevent the director of the department of social services from maintaining such records as to ensure that an individual receives only one expungement under this section for the purpose of informing the proper authorities of the contents of any record maintained under this section.

7. During any period that a nonviolent offender is incarcerated for criminal nonsupport, if the offender is ready, willing, and able to be gainfully employed during said period of incarceration, the offender, if he or she meets the criteria established by the department of corrections, may be placed on work release to allow the offender to satisfy his or her obligation to pay support. Arrearages shall be satisfied as outlined in the collection agreement.

8. Beginning August 28, 2009, every nonviolent first- and second-time offender then incarcerated for criminal nonsupport, who has not been previously placed on probation or parole for conviction of criminal nonsupport, may be considered for parole, under the conditions set forth in subsection 6 of this section, or work release, under the conditions set forth in subsection 7 of this section.

9. Beginning January 1, 1991, every prosecuting attorney in any county which has entered into a cooperative agreement with the [child support enforcement service of the] family support division [of] **within** the department of social services **regarding child support enforcement services** shall report to the division on a quarterly basis the number of charges filed and the number of convictions obtained under this section by the prosecuting attorney's office on all IV-D cases. The division shall consolidate the reported information into a statewide report by county and make the report available to the general public.

10. Persons accused of committing the offense of nonsupport of the child shall be prosecuted:

(1) In any county in which the child resided during the period of time for which the defendant is charged; or

(2) In any county in which the defendant resided during the period of time for which the defendant is charged.”; and

Further amend said bill, Page 24, Section 595.045, Line 118, by inserting immediately after said section and line the following:

“610.145. 1. (1) If a person is named in a charge for an infraction or offense, whether a misdemeanor or a felony, as a result of another person using the identifying information of the named person or mistaken identity and a finding of not guilty is entered, or the conviction is set aside, the named person may apply by petition or written motion to the court where the charge was last pending on a form approved by the office of state courts administrator and supplied by the clerk of the court for an order to expunge from all official records any entries relating to the person’s apprehension, charge, or trial. The court, after providing notice to the prosecuting attorney, shall hold a hearing on the motion or petition and, upon finding that the person’s identity was used without permission and the charges were dismissed or the person was found not guilty, the court shall order the expungement.

(2) If any person is named in a charge for an infraction or offense, whether a misdemeanor or a felony, as a result of another person using the identifying information of the named person or mistaken identity, and the charge against the named person is dismissed, the prosecutor or other judicial officer who ordered the dismissal shall provide notice to the court of the dismissal, and the court shall order the expungement of all official records containing any entries relating to the person’s apprehension, charge, or trial.

2. No person as to whom such an order has been entered under this section shall be held thereafter under any provision of law to be guilty of perjury or to be guilty of otherwise giving a false statement or response to any inquiry made for any purpose, by reason of the person’s failure to recite or acknowledge any expunged entries concerning apprehension, charge, or trial.

3. The court shall also order that such entries shall be expunged from the records of the court and direct all law enforcement agencies, the department of corrections, the department of revenue, or any other state or local government agency identified by the petitioner, or the person eligible for automatic expungement under subdivision (2) of subsection 1 of this section, as bearing record of the same to expunge their records of the entries. The clerk shall notify state and local agencies of the court’s order. The costs of expunging the records, as provided in this chapter, shall not be taxed against the person eligible for expungement under this section.

4. The department of revenue shall expunge from its records entries made as a result of the charge or conviction ordered expunged under this section. The department of revenue shall also reverse any administrative actions taken against a person whose record is expunged under this section as a result of the charges or convictions expunged, including the assessment of the driver’s license points and driver’s license suspension or revocation. Notwithstanding any other provision of this chapter, the department of revenue shall provide to the person whose motor vehicle record is expunged under this section a certified corrected driver history at no cost and shall reinstate at no cost any driver’s license suspended or revoked as a result of a charge or conviction expunged under this section.

5. The department of corrections and any other applicable state or local government agency shall expunge its records. The agency shall also reverse any administrative actions taken against a person whose record is expunged under this section as a result of the charges or convictions being expunged. Notwithstanding any other provision of law, the normal fee for any reinstatement of a license or privilege resulting under this section shall be waived.

6. Any insurance company that charged any additional premium based on insurance points assessed against a policyholder as a result of a charge or conviction that was expunged under this

section shall refund such additional premiums to the policyholder upon notification of the expungement.

7. For purposes of this section, the term “mistaken identity” means the erroneous arrest of a person for an offense as a result of misidentification by a witness or law enforcement, confusion on the part of a witness or law enforcement as to the identity of the person who committed the offense, misinformation provided to law enforcement as to the identity of the person who committed the offense, or some other mistake on the part of a witness or law enforcement as to the identity of the person who committed the offense.

650.055. 1. Every individual who:

(1) Is found guilty of a felony or any offense under chapter 566; or

(2) Is seventeen years of age or older and arrested for burglary in the first degree under section 569.160, or burglary in the second degree under section 569.170, or a felony offense under chapter 565, 566, 567, 568, or 573; or

(3) Has been determined to be a sexually violent predator pursuant to sections 632.480 to 632.513; or

(4) Is an individual required to register as a sexual offender under sections 589.400 to 589.425;

shall have a fingerprint and blood or scientifically accepted biological sample collected for purposes of DNA profiling analysis.

2. Any individual subject to DNA collection and profiling analysis under this section shall provide a DNA sample:

(1) Upon booking at a county jail or detention facility; or

(2) Upon entering or before release from the department of corrections reception and diagnostic centers;
or

(3) Upon entering or before release from a county jail or detention facility, state correctional facility, or any other detention facility or institution, whether operated by a private, local, or state agency, or any mental health facility if committed as a sexually violent predator pursuant to sections 632.480 to 632.513;
or

(4) When the state accepts a person from another state under any interstate compact, or under any other reciprocal agreement with any county, state, or federal agency, or any other provision of law, whether or not the person is confined or released, the acceptance is conditional on the person providing a DNA sample if the person was found guilty of a felony offense in any other jurisdiction; or

(5) If such individual is under the jurisdiction of the department of corrections. Such jurisdiction includes persons currently incarcerated, persons on probation, as defined in section 217.650, and on parole, as also defined in section 217.650; or

(6) At the time of registering as a sex offender under sections 589.400 to 589.425.

3. The Missouri state highway patrol and department of corrections shall be responsible for ensuring adherence to the law. Any person required to provide a DNA sample pursuant to this section shall be required to provide such sample, without the right of refusal, at a collection site designated by the Missouri

state highway patrol and the department of corrections. Authorized personnel collecting or assisting in the collection of samples shall not be liable in any civil or criminal action when the act is performed in a reasonable manner. Such force may be used as necessary to the effectual carrying out and application of such processes and operations. The enforcement of these provisions by the authorities in charge of state correctional institutions and others having custody or jurisdiction over individuals included in subsection 1 of this section which shall not be set aside or reversed is hereby made mandatory. The board of probation or parole shall recommend that an individual on probation or parole who refuses to provide a DNA sample have his or her probation or parole revoked. In the event that a person's DNA sample is not adequate for any reason, the person shall provide another sample for analysis.

4. The procedure and rules for the collection, analysis, storage, expungement, use of DNA database records and privacy concerns shall not conflict with procedures and rules applicable to the Missouri DNA profiling system and the Federal Bureau of Investigation's DNA databank system.

5. Unauthorized use or dissemination of individually identifiable DNA information in a database for purposes other than criminal justice or law enforcement is a class A misdemeanor.

6. Implementation of sections 650.050 to 650.100 shall be subject to future appropriations to keep Missouri's DNA system compatible with the Federal Bureau of Investigation's DNA databank system.

7. All DNA records and biological materials retained in the DNA profiling system are considered closed records pursuant to chapter 610. All records containing any information held or maintained by any person or by any agency, department, or political subdivision of the state concerning an individual's DNA profile shall be strictly confidential and shall not be disclosed, except to:

(1) Peace officers, as defined in section 590.010, and other employees of law enforcement agencies who need to obtain such records to perform their public duties;

(2) The attorney general or any assistant attorneys general acting on his or her behalf, as defined in chapter 27;

(3) Prosecuting attorneys or circuit attorneys as defined in chapter 56, and their employees who need to obtain such records to perform their public duties;

(4) The individual whose DNA sample has been collected, or his or her attorney; or

(5) Associate circuit judges, circuit judges, judges of the courts of appeals, supreme court judges, and their employees who need to obtain such records to perform their public duties.

8. Any person who obtains records pursuant to the provisions of this section shall use such records only for investigative and prosecutorial purposes, including but not limited to use at any criminal trial, hearing, or proceeding; or for law enforcement identification purposes, including identification of human remains. Such records shall be considered strictly confidential and shall only be released as authorized by this section.

9. **(1)** An individual may request expungement of his or her DNA sample and DNA profile through the court issuing the reversal or dismissal, **or through the court granting an expungement of all official records under section 568.040.** A certified copy of the court order establishing that such conviction has been reversed [or], guilty plea has been set aside, **or expungement has been granted under section 568.040** shall be sent to the Missouri state highway patrol crime laboratory. Upon receipt of the court order,

the laboratory will determine that the requesting individual has no other qualifying offense as a result of any separate plea or conviction and no other qualifying arrest prior to expungement.

[(1)] **(2)** A person whose DNA record or DNA profile has been included in the state DNA database in accordance with this section and sections 650.050, 650.052, and 650.100 may request expungement on the grounds that the conviction has been reversed, [or] the guilty plea on which the authority for including that person's DNA record or DNA profile was based has been set aside, **or an expungement of all official records has been granted by the court under section 568.040.**

[(2)] **(3)** Upon receipt of a written request for expungement, a certified copy of the final court order reversing the conviction [or], setting aside the plea, **or granting an expungement of all official records under section 568.040,** and any other information necessary to ascertain the validity of the request, the Missouri state highway patrol crime laboratory shall expunge all DNA records and identifiable information in the state DNA database pertaining to the person and destroy the DNA sample of the person, unless the Missouri state highway patrol determines that the person is otherwise obligated to submit a DNA sample. Within thirty days after the receipt of the court order, the Missouri state highway patrol shall notify the individual that it has expunged his or her DNA sample and DNA profile, or the basis for its determination that the person is otherwise obligated to submit a DNA sample.

[(3)] **(4)** The Missouri state highway patrol is not required to destroy any item of physical evidence obtained from a DNA sample if evidence relating to another person would thereby be destroyed.

[(4)] **(5)** Any identification, warrant, arrest, or evidentiary use of a DNA match derived from the database shall not be excluded or suppressed from evidence, nor shall any conviction be invalidated or reversed or plea set aside due to the failure to expunge or a delay in expunging DNA records.

10. When a DNA sample is taken from an individual pursuant to subdivision (2) of subsection 1 of this section and the prosecutor declines prosecution and notifies the arresting agency of that decision, the arresting agency shall notify the Missouri state highway patrol crime laboratory within ninety days of receiving such notification. Within thirty days of being notified by the arresting agency that the prosecutor has declined prosecution, the Missouri state highway patrol crime laboratory shall determine whether the individual has any other qualifying offenses or arrests that would require a DNA sample to be taken and retained. If the individual has no other qualifying offenses or arrests, the crime laboratory shall expunge all DNA records in the database taken at the arrest for which the prosecution was declined pertaining to the person and destroy the DNA sample of such person.

11. When a DNA sample is taken of an arrestee for any offense listed under subsection 1 of this section and charges are filed:

(1) If the charges are later withdrawn, the prosecutor shall notify the state highway patrol crime laboratory that such charges have been withdrawn;

(2) If the case is dismissed, the court shall notify the state highway patrol crime laboratory of such dismissal;

(3) If the court finds at the preliminary hearing that there is no probable cause that the defendant committed the offense, the court shall notify the state highway patrol crime laboratory of such finding;

(4) If the defendant is found not guilty, the court shall notify the state highway patrol crime laboratory of such verdict.

If the state highway patrol crime laboratory receives notice under this subsection, such crime laboratory shall determine, within thirty days, whether the individual has any other qualifying offenses or arrests that would require a DNA sample to be taken. If the individual has no other qualifying arrests or offenses, the crime laboratory shall expunge all DNA records in the database pertaining to such person and destroy the person's DNA sample.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 2**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 2**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 3**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 3**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 4**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 4**.

PRIVILEGED MOTIONS

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 2**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
 /s/ Justin Alferman
 /s/ Lyle Rowland
 /s/ Michael Butler
 /s/ Kip Kendrick

FOR THE SENATE:

/s/ Dan Brown
 /s/ David Sater
 /s/ Mike Cunningham
 /s/ Shalonn “Kiki” Curls
 /s/ Jamilah Nasheed

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 2**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 2

An Act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 3** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 3.
2. That the House recede from its position on House Committee Substitute for House Bill No. 3.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 3, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ Lyle Rowland
/s/ Kip Kendrick
/s/ Daron McGee

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Dan Hegeman
/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Holsman Schupp Sifton—3

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 3**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 3

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds shall be expended at public institutions of higher education that offer a tuition rate to any student with an unlawful immigration status in the United States that is less than the tuition rate charged to international students, and further provided that no scholarship funds shall be expended on behalf of students with an unlawful immigration status in the United States.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Holsman Hummel Schupp Sifton—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 4** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 4

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 4, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 4.
2. That the House recede from its position on House Committee Substitute for House Bill No. 4.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 4, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ Kathie Conway
/s/ Michael Butler
/s/ Kip Kendrick

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Wayne Wallingford
/s/ Shalonn “Kiki” Curls
/s/ Jason Holsman

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators

Hummel Kraus—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 4**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 4

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, the Department of Transportation, and the several divisions and programs thereof to be expended

only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds shall be used for any costs associated with the tolling of interstate highways, and further provided the Missouri Department of Transportation shall not expend any funds to encourage the enactment of local ordinances regarding primary enforcement of seat belt laws.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators

Hummel Kraus—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 5**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 5**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 6**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 6**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 7**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 7**.

PRIVILEGED MOTIONS

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 5** moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 5.
2. That the House recede from its position on House Committee Substitute for House Bill No. 5.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 5, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ Kurt Bahr
/s/ Michael Butler
/s/ Greg Razer

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Wayne Wallingford
/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus Schupp—2

Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 5**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 5

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Conservation, the Department of Public Safety, the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Eigel Kraus Schupp—3

Absent—Senator Sifton—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

On motion of Senator Kehoe, the Senate recessed until 1:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 8**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 8**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 9**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 9**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 10**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 10**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 11**, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 11**.

PRIVILEGED MOTIONS

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 6**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 6

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 6, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 6.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 6, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ Craig Redmon
/s/ Michael Butler
/s/ Randy Dunn

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Dan Hegeman
/s/ Shalonn “Kiki” Curls
/s/ Jason Holsman

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Chappelle-Nadal	Kraus	Schupp	Sifton—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 6**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 6

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2017 and ending June 30, 2018; provided the Department of Natural Resources notify members of the General Assembly, in writing, about pending land purchases sixty (60) days prior to the close of sale; and further provided that the Department of Natural Resources not implement or enforce any portion of a federal proposed rule finalized after January 1, 2015, to revise or provide guidance on the regulatory definition of “waters of the United States” or “navigable waters” under the federal Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq., without the approval of the General Assembly; and further provided the Department of Natural Resources not implement or enforce any portion of the federal Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015).

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Chappelle-Nadal

Kraus

Schupp

Sifton—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SCS** for **HCS** for **HB 14**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

President Parson assumed the Chair.

PRIVILEGED MOTIONS

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 7** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 7

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 7.
2. That the House recede from its position on House Committee Substitute for House Bill No. 7.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 7, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
 /s/ Justin Alferman
 /s/ Craig Redmon
 /s/ Michael Butler
 /s/ Randy Dunn

FOR THE SENATE:

/s/ Dan Brown
 /s/ David Sater
 /s/ Mike Cunningham
 /s/ Jamilah Nasheed
 /s/ Gina Walsh

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Silvey	Walsh
Wasson	Wieland—30					

NAYS—Senators

Schupp	Sifton	Wallingford—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 7**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 7

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Silvey	Walsh
Wasson	Wieland—30					

NAYS—Senators

Schupp	Sifton	Wallingford—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 8** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 8

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 8, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 8.
2. That the House recede from its position on House Committee Substitute for House Bill No. 8.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 8, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ Kathie Conway
/s/ Michael Butler
/s/ Karla May

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Wayne Wallingford
/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 8**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 8

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018, provided that a flight plan be made publicly available via a global aviation data services organization that operates both a website and mobile application which provides free flight tracking of both private and commercial aircraft prior to the departure of any flight on a state aircraft for which an elected official will be on board the aircraft.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 9** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 9.
2. That the House recede from its position on House Committee Substitute for House Bill No. 9.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 9, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ Kathie Conway
/s/ Michael Butler
/s/ Karla May

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Dan Hegeman
/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson—31				

NAYS—Senator Wieland—1

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 9**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 9

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2017 and ending June 30, 2018.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson—31				

NAYS—Senator Wieland—1

Absent—Senator Schaaf—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Parson assumed the Chair.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 10** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 10.

2. That the House recede from its position on House Committee Substitute for House Bill No. 10.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 10, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ David Wood
Deb Lavender
/s/ Crystal Quade

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Mike Cunningham
/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

Senator Onder assumed the Chair.

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Hoskins	Kehoe	Koenig	Munzlinger	Nasheed	Onder	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schatz	Wasson
Wieland—22						

NAYS—Senators

Chappelle-Nadal	Holsman	Hummel	Kraus	Libla	Schaaf	Schupp
Sifton	Silvey	Wallingford	Walsh—11			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 10**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 10

An Act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Department of Health and Senior Services, and the several divisions and programs thereof, and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds from these sections shall be expended for the purpose of medicaid expansion as outlined under the Affordable Care Act.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Hoskins	Kehoe	Koenig	Munzlinger	Nasheed	Onder	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schatz	Wasson

Wieland—22

NAYS—Senators

Chappelle-Nadal	Holsman	Hummel	Kraus	Libla	Schaaf	Schupp
Sifton	Silvey	Wallingford	Walsh—11			

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **SB 486** and **SS** for **SB 182**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 12**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 12**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 13**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS** for **HCS** for **HB 17**, as amended, and has taken up and passed **CCS** for **SCS** for **HCS** for **HB 17**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **HCS** for **HB 18**.

On motion of Senator Kehoe, the Senate recessed until 6:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

Senator Kehoe announced photographers from the Columbia Missourian and ABC 17 were given permission to take pictures in the Senate Chamber.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SB 486** and **SS** for **SB 182**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

SB 486 and **SS** for **SB 182**, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

MESSAGES FROM THE GOVERNOR

The following message was received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

May 4, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments:

Amelia A. Counts, Independent, 318 Panhurst Court, Ballwin, Saint Louis County, Missouri 63021, as a member of the Missouri State University Board of Governors, for a term ending January 1, 2023, and until her successor is duly appointed and qualified; vice, Stephen B. Hoven, term expired.

James D. Cunningham Jr., 3240 Buckingham Drive, Sedalia, Pettis County, Missouri 65301, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, Dawn Fuller, term expired.

Barth L. Fraker, Republican, 530 North Elm Street, Marshfield, Webster County, Missouri 65706, as a member of the State Board of Senior Services, for a term ending August 30, 2020, and until his successor is duly appointed and qualified; vice, Barbara J. Gilchrist, term expired.

Carla G. Holste, 301 Lucretia Lane, Jefferson City, Cole County, Missouri 65109, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Carla G. Holste, withdrawn.

Courtney L. Kovachevich, 11742 Longleaf Circle, Saint Louis, Saint Louis County, Missouri 63146, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until her successor is duly appointed and qualified; vice, Dorothy Rowland, term expired.

Joseph G. Plaggenberg, 211 Bluff Street, Jefferson City, Cole County, Missouri 65101, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice, Joseph G. Plaggenberg, withdrawn.

Alice Chang Ray, 1301 Kiefer Bluffs Drive, Ballwin, Saint Louis County, Missouri 63021, as a member of the Child Abuse and Neglect

Review Board, for a term ending April 7, 2019, and until her successor is duly appointed and qualified; vice, Alice Chang Ray, withdrawn.
Eric R. Reece, 114 Forest Ridge Road, Rogersville, Christian County, Missouri 65742, as a member of the Child Abuse and Neglect Review Board, for a term ending April 7, 2018, and until his successor is duly appointed and qualified; vice Eric R. Reece, withdrawn.

Respectfully submitted,
Eric R. Greitens
Governor

Senator Richard moved that the above appointments be returned to the Governor per his request, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Koenig moved that **HCB 3**, with **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 2 was again taken up.

At the request of Senator Curls, **SA 2** was withdrawn.

Senator Curls offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend House Committee Bill No. 3, Page 1, In the Title, Line 3 of the title, by inserting after “citizens” the following: “, with an emergency clause”; and

Further amend said bill, Pages 1-3, Section 135.010, by striking all of said section from the bill; and

Further amend said bill, Page 4, Section 135.025, by striking all of said section from the bill; and

Further amend said bill, Section 135.030, Pages 4-5, by striking all of said section from the bill; and inserting in lieu thereof the following:

“208.1300. 1. There is hereby created in the state treasury the “Missouri Senior Services Protection Fund”, which shall consist of moneys collected under subsection 2 of this section. The state treasurer shall be custodian of the fund and shall approve disbursements in accordance with sections 30.170 and 30.180. The fund shall be a dedicated fund, and, upon appropriation, moneys in the fund shall be used solely as provided under subsection 2 of this section. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. On July 1, 2017, the state treasurer shall transfer from the general revenue fund into the senior services protection fund thirty-five million four hundred thousand dollars. Moneys in the fund shall be allocated for services for low-income seniors and people with disabilities.

3. Notwithstanding any other provision of law to the contrary, by June 30, 2018, the commissioner of administration shall transfer into the general revenue fund thirty-five million four hundred thousand dollars from the unexpended balance remaining from all fees, funds and moneys from whatsoever source received by any department, board, bureau, commission, institution, official, or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, excluding the senior services protection fund; all funds received and disbursed by the state on behalf of counties, cities, towns, and villages; any unexpended balance as may remain in any fund authorized, collected, and expended by virtue of the provisions of the constitution of this state; all funds for the payment of interest and principal for any bonded

indebtedness; funds created in order to receive and disburse federal funds; all funds used to fund elementary and secondary education under section 163.031; and any fund for which at least seventy percent of moneys is derived from an appropriation of general revenue.

4. The provisions of this section shall expire on July 1, 2018.

Section B. Because of the need to fund services for certain vulnerable citizens, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.”; and

Further amend the title and enacting clause accordingly.

Senator Curls moved that the above amendment be adopted.

Senator Schaaf raised the point of order that **SA 3** changes the original purpose of the bill.

The point of order was referred to the President Pro Tem who ruled it not well taken.

Senator Hoskins offered **SA 1** to **SA 3**:

SENATE AMENDMENT NO. 1 to
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to House Committee Bill No. 3, Page 2, Section 208.1300, Line 22, by striking the word “and”; and further amend line 23 by inserting after the word “revenue” the following: “, **and any fund created under chapters 324 to 346**”.

Senator Hoskins moved that the above amendment be adopted, which motion prevailed.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Hegeman offered **SA 2** to **SA 3**:

SENATE AMENDMENT NO. 2 to
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to House Committee Bill No. 3, Page 2, Section 208.1300, Line 22, by striking the word “and”; and further amend line 23 by inserting after the word “revenue” the following:

“, **and funds created under sections 208.465 and 198.418**”.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Sater offered **SA 3** to **SA 3**:

SENATE AMENDMENT NO. 3 to
SENATE AMENDMENT NO. 3

Amend Senate Amendment No. 3 to House Committee Bill No. 3, Page 2, Line 22, by striking the word “and”; and further amend line 23 by inserting after the word “revenue” the following: “, **and the funds created in sections 338.535 and 190.818**”.

Senator Sater moved that the above amendment be adopted, which motion prevailed.

Senator Curls moved that **SA 3**, as amended, be adopted, which motion prevailed.

On motion of Senator Koenig, **HCB 3**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Richard	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Eigel	Kraus	Onder	Romine	Schaaf—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Richard	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Eigel	Kraus	Onder	Romine	Schaaf—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Koenig, title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 11** moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 11.
2. That the House recede from its position on House Committee Substitute for House Bill No. 11.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 11, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ David Wood
Deb Lavender
/s/ Crystal Quade

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Mike Cunningham
/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Hoskins	Kehoe
Koenig	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Silvey	Wallingford	Wasson—21

NAYS—Senators

Chappelle-Nadal	Eigel	Emery	Holsman	Hummel	Kraus	Libla
Schaaf	Schupp	Sifton	Walsh	Wieland—12		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 11**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 11

An Act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV,

Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2017 and ending June 30, 2018; provided that no funds from these sections shall be expended for the purpose of Medicaid expansion as outlined under the Affordable Care Act, and further provided that no funds from these sections shall be paid to any person who or entity which is a provider of abortion services as defined in Section 170.015, RSMo.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Hegeman	Hoskins	Kehoe
Koenig	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Silvey	Wallingford	Wasson—21

NAYS—Senators

Chappelle-Nadal	Eigel	Emery	Holsman	Hummel	Kraus	Libla
Schaaf	Schupp	Sifton	Walsh	Wieland—12		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 12**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 12

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 12, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 12.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 12, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
 /s/ Justin Alferman
 /s/ Kurt Bahr
 /s/ Deb Lavender
 /s/ Peter Merideth

FOR THE SENATE:

/s/ Dan Brown
 /s/ David Sater
 /s/ Dan Hegeman
 /s/ Shalonn “Kiki” Curls
 /s/ Jamilah Nasheed

Senator Brown moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 12**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 SENATE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 HOUSE BILL NO. 12

An Act to appropriate money for expenses, grants, refunds, and distributions of the Chief Executive’s Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2017 and ending June 30, 2018.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Brown, on behalf of the conference committee appointed to act with a like committee from the House on **SCS** for **HCS** for **HB 17**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 17

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 17, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 17, as amended.
2. That the House recede from its position on House Committee Substitute for House Bill No. 17.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 17, be truly agreed to and finally passed.

FOR THE HOUSE:

/s/ Scott Fitzpatrick
/s/ Justin Alferman
/s/ Kurt Bahr
/s/ Michael Butler
/s/ Kip Kendrick

FOR THE SENATE:

/s/ Dan Brown
/s/ David Sater
/s/ Mike Cunningham
/s/ Shalonn “Kiki” Curls
/s/ Jamilah Nasheed

Senator Brown moved that the above conference committee report be adopted, which motion

prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Brown, **CCS** for **SCS** for **HCS** for **HB 17**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 17

An Act to appropriate money for capital improvement and other purposes for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2017 and ending June 30, 2018.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Brown, title to the bill was agreed to.

Senator Brown moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

RESOLUTIONS

Senator Nasheed offered Senate Resolution No. 932, regarding Bringing It Together, which was adopted.

Senator Nasheed offered Senate Resolution No. 933, regarding the Ninetieth Birthday of Robert Norman Vickers, University City, which was adopted.

Senator Munzlinger offered Senate Resolution No. 934, regarding Verlana Uebinger, Vandalia, which was adopted.

Senator Munzlinger offered Senate Resolution No. 935, regarding Corrections Officer II Daniel Wiley, Clarksville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 936, regarding Corrections Officer III Justin Swank, New London, which was adopted.

Senator Munzlinger offered Senate Resolution No. 937, regarding Corrections Officer I Bradly Hartwig, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 938, regarding Corrections Officer II Jeremiah Tipp, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 939, regarding Corrections Officer III David Cutt, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 940, regarding Pascha Allen, Eolia, which was adopted.

Senator Munzlinger offered Senate Resolution No. 941, regarding Corrections Officer II Damian Austin, New London, which was adopted.

Senator Munzlinger offered Senate Resolution No. 942, regarding Corrections Officer I Jennifer Miller, Louisiana, which was adopted.

Senator Munzlinger offered Senate Resolution No. 943, regarding Corrections Officer I Sandra Clendenny, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 944, regarding Tamara Anderson, which was adopted.

Senator Munzlinger offered Senate Resolution No. 945, regarding Corrections Officer I Dan Ruble, Curreyville, which was adopted.

Senator Schupp offered Senate Resolution No. 946, regarding Sheela Lal, which was adopted.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, the Physician of the Day, Dr. Richard Burns, Columbia.

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Friday, May 5, 2017.

SENATE CALENDAR

SIXTY-SIXTH DAY—FRIDAY, MAY 5, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler	HCS for HB 670
HCS for HB 619	HB 743-Conway
HCS for HB 162	HB 824-Reiboldt
HB 97-Swan	HCS for HB 384
HCS for HB 293	HCS for HB 886
HCS for HB 219	HCB 7-Fitzwater
HCS for HB 324	HCB 1-McGaugh
HCS for HB 746	HCS for HB 608
HCS for HB 194	HCS for HB 380
HCS for HBs 960, 962 & 828	

SENATE BILLS FOR PERFECTION

1. SB 495-Riddle, with SCS	12. SB 380-Riddle
2. SB 532-Hoskins	13. SB 297-Hummel, with SCS
3. SB 518-Emery	14. SB 474-Schatz
4. SB 341-Nasheed, with SCS	15. SB 483-Holsman
5. SJR 5-Emery, with SCS	16. SB 498-Nasheed
6. SB 305-Kehoe, et al	17. SB 251-Kehoe, with SCS
7. SB 535-Wallingford	18. SB 528-Hegeman
8. SB 523-Sater, with SCS	19. SB 307-Munzlinger
9. SB 480-Kraus	20. SB 472-Hoskins
10. SB 407-Riddle, with SCS	21. SB 524-Koenig, with SCS
11. SB 353-Wallingford, with SCS	

HOUSE BILLS ON THIRD READING

1. HB 288-Fitzpatrick (Kehoe)	6. HCS for HB 381, with SCS (Hegeman)
2. HCS for HB 151 (Silvey)	7. HB 58-Haefner (Onder)
3. HB 850-Davis (Kraus)	8. HB 175-Reiboldt, with SCS (Munzlinger)
4. HCS for HB 452 (Rowden)	9. HB 327-Morris (Curls)
5. HCS for HB 831, with SCS (Hummel)	10. HB 680-Fitzwater, with SCS (Wasson)

11. HCS for HB 57-Haefner, with SCS (Libla)
12. HCS for HB 422 (Dixon)
13. HB 245-Rowland, with SCS (Cunningham)
14. HB 262-Sommer (Hoskins)
15. HCS for HB 270 (Rowden)
16. HCS for HB 661, with SCS (Emery)
17. HB 758-Cookson, with SCS (Romine)
18. HCS for HB 138, with SCS (Onder)
19. HCS for HB 441 (Rowden)
20. HCS for HB 253, with SCS (Romine)
21. HB 94-Lauer (Romine)
22. HB 248-Fitzwater, with SCS (Cunningham)
23. HB 289-Fitzpatrick, with SCS (Rowden)
24. HB 493-Bondon, with SCS (Silvey)
25. HB 52-Andrews (Hegeman)
26. HCS for HB 647, with SCS (Sater)
27. HCS for HB 353, with SCS (Sater)
28. HCS for HB 54, with SCS (Emery)
29. HB 355-Bahr (Eigel)
30. HCS for HB 122, with SCS (Onder)
31. HCS for HB 230, with SCS (Koenig)
32. HB 700-Cookson, with SCS (Libla)
33. HB 1045-Haahr (Wasson)
34. HB 909-Fraker (Wasson)
35. HCS for HB 631, with SCS (Emery)
36. HCS for HB 348 (Romine)
37. HJR 10-Brown (Romine)
38. HCS#2 for HB 502 (Rowden)
39. HCS for HB 304, with SCS (Koenig)
40. HB 871-Davis, with SCS (Kraus)
41. HB 843-McGaugh, with SCS (Hegeman)
42. HB 200-Fraker, with SCS (Sater)
43. HCS for HB 703 (Hegeman)
44. HB 956-Kidd, with SCS (Rizzo)
45. HCS for HB 199, with SCS (Cunningham)
46. HB 87-Henderson, with SCS (Romine)
47. HB 587-Redmon, with SCS (Hegeman)
48. HCS for HB 258, with SCS (Munzlinger)
49. HB 349-Brown, with SCS (Sater)
50. HCS for HB 316, with SCS (Wallingford)
51. HB 558-Ross, with SCS (Schatz)
52. HB 586-Rhoads (Rowden)
53. HB 256-Rhoads, with SCS (Munzlinger)
54. HCS for HB 645 (Sater)
55. HCS for HB 183 (Nasheed)
56. HCS for HB 542 (Schatz)
57. HB 61-Alferman (Schatz)
58. HB 128, HB 678, HB 701 & HB 964-Davis, with SCS (Richard)
59. HB 811-Ruth (Wieland)
60. HB 805-Basye (Rowden)
61. HB 664-Korman (Riddle)
62. HB 105-Love (Kraus)
63. HB 849-Pfautsch (Kraus)
64. HCS for HB 260, with SCS (Sater)
65. HCS for HB 1158, with SCS (Riddle)
66. HCS for HB 159 (Brown)
67. HB 598-Cornejo (Hegeman)
68. HB 469-Gannon, with SCS (Romine)
69. HCS for HB 935, with SCS (Walsh)
70. HB 193-Kelley (Emery)
71. HB 281-Rowland (Sater)
72. HB 568-Tate, with SCS (Schatz)
73. HCS for HB 741, with SCS (Wieland)
74. HB 815-Basye, with SCS (Riddle)
75. HB 557-Ross (Cunningham)
76. HCS for HB 694 (Cunningham)
77. HCS for HB 225 (Munzlinger)
78. HCS for HB 181 (Sater)
79. HB 697-Trent (Rowden)
80. HB 719-Rhoads
81. HCS for HB 261 (Onder)
82. HB 294-Lynch (Brown)
83. HCS for HB 303 (Onder)
84. HCS for HB 174, with SCS (Wallingford)
85. HCS for HB 142 (Hoskins)
86. HCS for HB 247, with SCS (Schatz)
87. HCS for HB 334, with SCS
88. HB 571-Engler, with SCS (Romine)
89. HCS for HB 656, with SCS
90. HCS for HB 330
91. HB 209-Wiemann, with SCS (Riddle)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard	SB 147-Romine
SB 6-Richard, with SCS	SB 156-Munzlinger, with SCS
SB 13-Dixon	SB 157-Dixon, with SCS
SB 20-Brown	SB 158-Dixon
SB 21-Brown	SB 163-Romine
SB 28-Sater, with SCS (pending)	SB 169-Dixon, with SCS
SB 32-Emery, with SCS	SB 171-Dixon and Sifton, with SCS
SBs 37 & 244-Silvey, with SCS, SS for SCS & SA 1 (pending)	SB 176-Dixon
SB 41-Wallingford and Emery, with SS, SA 1 & SA 1 to SA 1 (pending)	SB 177-Dixon, with SCS
SBs 44 & 63-Romine, with SCS	SB 178-Dixon
SB 46-Libla, with SCS	SB 180-Nasheed, with SCS
SB 61-Hegeman, with SCS	SB 183-Hoskins, with SCS
SB 67-Onder, et al, with SS, SA 1 & SSA 1 for SA 1 (pending)	SB 184-Emery, with SS (pending)
SB 68-Onder and Nasheed	SB 185-Onder, et al, with SCS
SB 76-Munzlinger	SB 188-Munzlinger, with SCS
SB 80-Wasson, with SCS	SB 189-Kehoe, with SCS
SB 81-Dixon	SB 190-Emery, with SCS & SS#2 for SCS (pending)
SB 83-Dixon	SB 196-Koenig
SB 85-Kraus, with SCS	SB 199-Wasson
SB 96-Sater and Emery	SB 200-Libla
SB 97-Sater, with SCS	SB 201-Onder, with SCS
SB 102-Cunningham, with SCS	SB 203-Sifton, with SCS
SB 103-Wallingford	SB 207-Sifton
SB 109-Holsman, with SCS	SB 209-Wallingford
SB 115-Schupp, with SCS	SB 210-Onder, with SCS
SB 117-Schupp, with SCS	SB 220-Riddle, with SCS & SS for SCS (pending)
SB 122-Munzlinger, with SCS	SB 221-Riddle
SB 123-Munzlinger	SB 223-Schatz, with SCS
SB 126-Wasson	SB 227-Koenig, with SCS
SB 129-Dixon and Sifton, with SCS	SB 228-Koenig, with SS & SA 1 (pending)
SB 130-Kraus, with SCS	SB 230-Riddle
SB 133-Chappelle-Nadal	SB 232-Schatz
SB 138-Sater	SB 233-Wallingford
SB 141-Emery	SB 234-Libla, with SCS
SB 142-Emery	SB 239-Rowden, with SCS
SB 144-Wallingford	SB 242-Emery, with SCS
SB 145-Wallingford, with SCS	SB 243-Hegeman
	SB 247-Kraus, with SCS

SB 250-Kehoe	SB 378-Wallingford
SB 252-Dixon, with SCS	SB 379-Schatz
SB 258-Munzlinger	SB 381-Riddle
SB 259-Munzlinger	SB 383-Eigel and Wieland
SB 260-Munzlinger	SB 384-Rowden, with SCS
SB 261-Munzlinger	SB 389-Sater, with SCS
SB 262-Munzlinger	SB 391-Munzlinger
SB 263-Riddle	SB 392-Holsman
SB 264-Dixon	SB 406-Wasson and Sater
SB 267-Schatz, with SCS	SB 409-Koenig
SB 271-Wasson and Richard, with SCS	SB 410-Schatz
SB 280-Hoskins, with SCS	SB 413-Munzlinger
SB 284-Hegeman, with SCS	SB 418-Hegeman, with SCS
SBs 285 & 17-Koenig, with SCS	SB 419-Riddle
SB 286-Rizzo	SB 422-Cunningham, with SCS
SB 290-Schatz, with SCS	SB 426-Wasson, with SCS
SB 295-Schaaf, with SCS	SB 427-Wasson
SB 298-Curls	SB 430-Cunningham, with SCS
SB 303-Wieland, with SCS	SB 433-Sater, with SCS
SB 311-Wasson, with SCS	SB 435-Cunningham, with SCS
SBs 314 & 340-Schatz, et al, with SCS	SB 442-Hegeman
SB 316-Rowden, with SCS	SB 445-Rowden
SB 325-Kraus	SB 448-Emery
SBs 327, 238 & 360-Romine, with SCS	SB 451-Nasheed, with SS (pending)
SB 328-Romine, with SCS & SA 3 (pending)	SB 468-Hegeman
SB 330-Munzlinger	SB 469-Schatz
SB 331-Hegeman	SB 475-Schatz
SB 333-Schaaf, with SCS	SB 485-Hoskins
SB 336-Wieland	SB 517-Wasson
SB 348-Wasson, with SA 1 (pending)	SB 526-Brown
SB 349-Wasson	SJR 9-Romine, with SCS
SB 358-Wieland	SJR 11-Hegeman, with SCS
SB 362-Hummel	SJR 12-Eigel
SB 368-Rowden	SJR 17-Kraus
SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)	

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HCS for HBs 91, 42, 131, 265 & 314 (Brown)
HCS for HB 66, with SCS (Sater)	HB 93-Lauer, with SCS (Wasson)
HB 85-Redmon, with SCS (Hegeman)	HB 95-McGaugh (Emery)

HB 104-Love (Brown)
 HCS for HB 115, with SCS (Wasson)
 HCS for HBs 190 & 208 (Eigel)
 HB 207-Fitzwater (Romine)
 HB 251-Taylor, with SCS, SS for SCS,
 SA 2 & SA 3 to SA 2 (pending) (Onder)
 HCS for HB 292, with SCS (Cunningham)
 HCS for HBs 302 & 228, with SCS, SS for
 SCS & SA 5 (pending) (Schatz)

HB 336-Shull (Wieland)
 HCS for HBs 337, 259 & 575 (Schatz)
 HCS for HB 427, with SCS (Kehoe)
 HCS for HB 451 (Wasson)
 HCS for HB 460 (Munzlinger)
 HB 461-Kolkmeier (Munzlinger)
 HB 462-Kolkmeier (Munzlinger)
 HB 655-Engler (Dixon)
 HCS for HBs 1194 & 1193 (Hegeman)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 34-Cunningham, with HCS,
 as amended
 SB 50-Walsh, with HA 1, HA 2, HA 3,
 HA 4, HA 5, as amended, HA 6, as
 amended, HA 7, as amended, HA 8,
 HA 9, HA 10, as amended, HA 11, HA 12,
 as amended, HA 13, HA 14 & HA 15
 SS for SB 62-Hegeman, with HCS,
 as amended
 SB 64-Schatz, with HA 1, HA 2 & HA 3

SS for SCS for SB 66-Schatz, with HCS,
 as amended
 SB 111-Hegeman, with HCS, as amended
 SS for SCS for SB 160-Sater, with HCS,
 as amended
 SCS for SB 161-Sater, with HCS
 SB 302-Wieland, with HCS, as amended
 SB 411-Schatz, with HA 1, HA 2, HA 3,
 as amended, HA 4 & HA 5, as amended

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
 as amended, HA 4, HA 5, HA 6, HA 7,
 HA 8, as amended & HA 9, as amended

HCS for HB 19, with SCS (Brown)

Requests to Recede or Grant Conference

HCS for HBs 90 & 68, with SS, as amended
 (Schatz)
 (House requests Senate recede or
 grant conference)

RESOLUTIONS

SR 197-Richard
 SR 891-Romine

SR 917-Silvey

Reported from Committee

SCR 6-Walsh
SCR 17-Curls
SCR 18-Wallingford
SCR 25-Cunningham, with SCS

SCR 26-Kehoe
HCR 6-Justus (Sater)
HCR 28-Rowland (Rowden)
HCS for HCR 47 (Schatz)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SIXTH DAY—FRIDAY, MAY 5, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“And now my children listen to me: Happy are those who keep my ways.” (Proverbs 8:32)

Almighty God You have revealed true wisdom for our benefit and as we try to manage our lives as public servants and those who live and maintain a family life, make our wills and actions true to You in both spheres. Help us to see how we are missed and needed and be sensitive to those that love us. And help us seek the path that brings us wisdom for daily living and knowledge of You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KRCG-TV and ABC 17 were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

SENATE BILLS FOR PERFECTION

Senator Riddle moved that **SB 495**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SB 495**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 495

An Act to repeal section 190.241, RSMo, and to enact in lieu thereof two new sections relating to emergency services.

Was taken up.

Senator Riddle moved that **SCS** for **SB 495** be adopted, which motion prevailed.

On motion of Senator Riddle, **SCS** for **SB 495** was declared perfected and ordered printed.

At the request of Senator Hoskins **SB 532**, with **SCS**, was placed on the Informal Calendar.

At the request of Senator Emery, **SB 518** was placed on the Informal Calendar.

At the request of Senator Nasheed, **SB 341**, with **SCS**, was placed on the Informal Calendar.

Senator Emery moved that **SJR 5**, with **SCS**, be taken up for perfection, which motion prevailed.

SCS for **SJR 5**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
SENATE JOINT RESOLUTION NO. 5

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

Was taken up.

Senator Emery moved that **SCS** for **SJR 5** be adopted.

At the request of Senator Emery, **SJR 5**, with **SCS** (pending), was placed on the Informal Calendar.

Senator Kehoe moved that **SB 305** be taken up for perfection, which motion prevailed.

Senator Kehoe offered **SS** for **SB 305**, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 305

An Act to repeal sections 105.470, 130.021, and 130.034, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof five new sections relating to ethics.

Senator Kehoe moved that **SS** for **SB 305** be adopted.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 305, Page 1, In the Title, Line 6, by inserting after “session,” the following: “section 130.041 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session,”; and

Further amend said bill, Page 32, Section 130.034, line 1 of said page, by inserting after all of said line the following:

“[130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee’s treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee’s records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of

the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and political action committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except sections 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term “candidate” in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a political action committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words “consulting or consulting services, fees, or expenses”, or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.]

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the

appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in

each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and political action committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except sections 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term “candidate” in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close

at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a political action committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words “consulting or consulting services, fees, or expenses”, or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.

5. The provisions of subsections 5 to 18 of this section shall be known, and may be cited as, the “Dark Money Disclosure Act”.

6. For the purposes of subsections 5 to 18 of this section, the term “reportable outlay” shall mean any contribution, expenditure, covered transfer, or elected official communication payment.

7. For the purposes of subsections 5 to 18 of this section, the terms “contribution” and “expenditure” shall have the meanings they are given in section 130.011.

8. (1) For the purposes of subsections 5 to 18 of this section, the term “covered transfer” shall mean any monetary or in-kind transfer or payment made to another person with the intention that any part of such transfer or payment be used to make or pay for a reportable outlay by someone other than the person making the transfer or payment. There shall be a rebuttable presumption that a transfer or payment is a covered transfer if the person making the transfer or payment:

(a) Designates, requests, suggests, or discusses the possibility that any part of the transfer or payment be used for:

a. A reportable outlay; or

b. Making a transfer or payment to another person for the purpose of making or paying for a reportable outlay;

(b) Made such transfer or payment in response to a solicitation or other request for a donation or payment for:

a. The making of a reportable outlay; or

b. Making a transfer or payment to another person for the purpose of making or paying for a reportable outlay;

(c) Knew or had reason to know that the person receiving the transfer or payment intended to use any part of it for:

a. The making of a reportable outlay; or

b. Making a transfer or payment to another person for the purpose of making or paying for a reportable outlay;

(d) Knew or had reason to know that the person receiving the transfer or payment had made reportable outlays in an aggregate amount of ten thousand dollars or more during the two-year period ending on the date of the transfer or payment, provided that it was a non-natural person who received the transfer or payment; or

(e) Knew or had reason to know that the person receiving the transfer or payment would make reportable outlays in an aggregate amount of ten thousand dollars or more during the two-year period beginning on the date of the transfer or payment, provided that it was a non-natural person who received the transfer or payment.

(2) “Covered transfer” shall not include any of the following:

(a) A transfer or payment made in a commercial transaction in the ordinary course of any trade or business conducted by the covered person or in the form of investments made by the covered person;

(b) An offer or tender of a transfer or payment which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

(c) A transfer or payment if:

a. The person making the transfer or payment prohibited, in writing, the use of such transfer or payment for reportable outlays; and

b. The recipient of the transfer or payment agreed to follow the prohibition and deposited the funds in an account segregated from any account used to make reportable outlays;

(d) A transfer or payment between two entities if one of the entities is an affiliate of the other entity or each of the entities is an affiliate of the same entity, unless one of the entities is established for the purpose of making any type of reportable outlay, or unless the transfer or payment is monetary and the recipient deposits the funds into a segregated bank account used to make reportable outlays.

(3) For purposes of this subsection, the following entities shall be considered to be affiliated with each other:

(a) A membership organization, including a trade or professional association, and the related state and local entities of that organization;

(b) A national or international labor organization and its state or local unions, or an organization of national or international unions and its state and local entities;

(c) A corporation and its wholly owned subsidiaries.

9. (1) For the purposes of subsections 5 to 18 of this section, the term “elected official communication payment” shall mean a payment for a communication that:

(a) Is in the form of:

a. Radio, television, cable, or satellite broadcast;

b. Printed material such as advertisements, pamphlets, circulars, flyers, brochures, or letters;

c. Telephone communication; or

d. Paid internet advertising; and

(b) Is made:

a. In substantial consultation with or at the suggestion of an elected official or an employee of or a consultant to an elected official;

b. By a person who is managed, operated, or founded by an individual who, in the two years preceding the communication, served as an employee or consultant for a person who is an elected official at the time of the communication;

c. By or in consultation with or at the suggestion of a family member of an elected official;

d. By a person founded by or at the suggestion of an elected official or the family member of an elected official; or

e. By a person for which an elected official has raised money in the two years before the communication; and

(c) Includes the name, likeness, or voice of or otherwise clearly identifies any Missouri elected official.

(2) The phrase “elected official communication payment” shall not include a payment for a communication of either of the following types:

(a) Communications with a professional journalist or newscaster, including an editorial board or editorial or opinion writer of a newspaper, magazine, news agency, press association, or wire service; or

(b) A communication that is:

a. Directed, sent or distributed by the distributing organization only to individuals who affirmatively consent to be members of the distributing organization, contribute funds to the distributing organization, or, pursuant to the distributing organization’s articles or bylaws, have the right to vote directly or indirectly for the election of directors or officers, or on changes to bylaws, disposition or all or substantially all of the distributing entity’s assets or the merger or dissolution of the distributing entity; or

b. For the purpose of promoting or staging any candidate debate, town hall or similar forum to which at least two candidates seeking the same office, or two proponents of differing positions on a referendum or question submitted to voters, or two proponents of differing positions on a proposed

official action of a governmental body, are invited as participants, and which does not promote or advance one candidate or position over another.

10. (1) Any person which is not a defined committee, has accepted one or more covered transfers since the most recent general election, and has made a reportable outlay or reportable outlays aggregating five thousand dollars or more since the most recent general election, shall file reports as prescribed in this subsection.

(2) Subsequent to each general election, a person required to file reports by subdivision (1) of this subsection shall file a report no later than fourteen days after first making a reportable outlay which by itself or when added to all other reportable outlays made since the general election equals five thousand dollars or more. After such initial report, an additional report shall be filed no later than fourteen days after any date on which the reporting person makes a reportable outlay which by itself or when added to all other reportable outlays made since the reportable outlay most recently reported equals five thousand dollars or more, except that, if such reportable outlay is made during the thirty days before an election, such additional report shall be filed within forty-eight hours after the date on which the reporting person made such reportable outlay.

(3) All reports filed under this subsection shall contain the following information:

(a) The name and address of the reporting person, and, if that person is a natural person, the name and address of that person's employer;

(b) If the reporting person is a non-natural person, that person's owners, partners, board members, and officers, or their equivalents. In the event that a report does not otherwise include the name of a natural person associated with the reporting person, the report shall include the name, address, and other contact information of at least one natural person with managerial control over the reporting person;

(c) For each reportable outlay made by the reporting person since the most recent general election:

a. The date and dollar value of each reportable outlay;

b. The name and address of the recipient of each reportable outlay; and

c. A description of the nature and purpose of each reportable outlay, including, in addition to any other information required by rules promulgated by the ethics commission, the name of any candidate or ballot measure supported or opposed, and, if the reportable outlay is an elected official communication payment, the name of any elected official identified by the communication and the name of any elected official in connection with whom the communication is made;

(d) Each report shall include receipts of covered transfers accepted since the most recent general election, including:

a. The total dollar value of all covered transfers accepted;

b. (i) A separate listing by name and address, and employer, if any, of each person from whom the reporting person accepted covered transfers aggregating more than five thousand dollars, together with the date and dollar value of each such covered transfer, as well as a description of each such covered transfer that was in-kind;

(ii) The names of the owners, partners, board members, and officers, or their equivalents, of any non-natural person listed pursuant to item (i) of this subparagraph;

c. A listing of each covered transfer that was received in the form of a loan, such loans listed by name and address of the lender and date and amount of the loan. For each such loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan; and

d. A listing of each covered transfer accepted that was restricted or designated in whole or in part for a particular purpose by the transferor, such listing including the name and address of the transferor, together with the date and dollar value of the covered transfer, together with a reasonably detailed description of the purpose for which all or part of that covered transfer was restricted or designated.

11. (1) If the person filing a report under subsection 10 of this section has filed any previous report under subsection 10 of this section since the most recent general election, the subsequent report need only include updated information, and need not contain information identical to that provided in previous reports.

(2) Reports filed under subsection 10 of this section need not include information about reportable outlays made before the date on which subsection 10 of this section becomes effective or on covered transfers accepted prior to such date.

(3) (a) For purposes of subsection 10 of this section, if a covered transfer accepted is a payment to an organization of bona fide membership dues that do not exceed two thousand five hundred dollars in a five-year period, the name and other identifying information of the person making the covered transfer need not be reported.

(b) Any report that withholds information pursuant to paragraph (a) of this subdivision shall report the aggregate value of all covered transfers for which information is so withheld, stating that full disclosure has been withheld pursuant to paragraph (a) of this subdivision.

(c) Notwithstanding any other provision of law to the contrary, no provision of subsections 5 to 18 of this section shall be construed in such a way as to negate the exception provided for in paragraph (a) of this subdivision or otherwise be construed in such a way as to require that any person's name or other identifying information be disclosed to any entity as a result of such person having made a payment to an organization of bona fide membership dues that do not exceed two thousand five hundred dollars in a five-year period.

12. (1) No reportable outlay shall be made or accepted, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person with the intent to conceal the original source of the reportable outlay.

(2) (a) The Missouri ethics commission shall promulgate rules to ensure that each person who, during the period between two general elections, is the original source of more than five thousand dollars of expenditures used to support or oppose any single candidate or ballot measure is publicly reported as such, together with the total amount of expenditures used to support or oppose that candidate or ballot measure for which such person is the original source, and together with a listing

of any intermediaries that facilitated the transfer by receiving and transferring funds or items on their path between the original source and the recipient person, including the values, immediate sources, and immediate recipients of such funds or items received and transferred by each such intermediary. For the purposes of this paragraph, “expenditure” shall not include contributions or covered transfers, nor transfers or payments made prior to the date on which this paragraph takes effect as law.

(b) The Missouri ethics commission shall promulgate rules to ensure that each person who, during the period between two general elections, is the original source of more than five thousand dollars of contributions or covered transfers received by any single person is publicly reported as such, together with the total amount of contributions or covered transfers to such recipient for which such contributor or transferor is the original source, and together with a listing of any intermediaries that facilitated the transfer by receiving and transferring funds or items on their path between the original source and the recipient person, including the values, immediate sources, and immediate recipients of such funds or items received and transferred by each such intermediary. For the purposes of this paragraph, the terms “contribution” and “covered transfer” shall not include transfers or payments made prior to the date on which this paragraph takes effect as law.

(c) For the purpose of identifying the original source or original sources of any reportable outlay:

a. When a person making a contribution or covered transfer restricts or designates it for a particular purpose, such contribution or covered transfer shall be attributed to a reportable outlay the purpose of which matches that for which the covered transfer was restricted or designated, if such a reportable outlay is made by the immediate recipient of the covered transfer and if no covered transfer received earlier has already been attributed to that reportable outlay pursuant to this subparagraph.

b. In all other cases, a contribution or covered transfer shall be attributed to a reportable outlay in the same proportion in which other contributions or covered transfers received by the immediate recipient of the contribution or covered transfer and not covered by subparagraph a of this paragraph are so attributed.

(d) For purposes of this subdivision, an “original source” is a person who makes a payment or transfer from its own sources other than covered transfers, donations or gifts, such as wages, investment income, inheritance, or revenue from the sale of goods or services.

13. The disclosure thresholds described in subsection 10 of this section shall be adjusted by an amount based upon the average of the percentage change over a four-year period in the United States Bureau of Labor Statistics Consumer Price Index for Kansas City, all items, all consumers, or its successor index, rounded to the nearest lowest twenty-five dollars and the percentage change over a four-year period in the United States Bureau of Labor Statistics Consumer Price Index for St. Louis, all items, all consumers, or its successor index, rounded to the nearest lowest twenty-five dollars. The first adjustment shall be done in the first quarter of 2019, and then every four years thereafter. The secretary of state shall calculate such an adjustment in each limit and specify the limits in rules promulgated in accordance with chapter 536, as amended from time to time.

14. All reports filed with the Missouri ethics commission under this section or under section 130.047 shall be filed in an electronic format as prescribed by the commission. Within five business

days of receiving any report, the commission shall make the report available to the public on its website in a searchable format. The commission shall also maintain and update at least weekly an online database of such reports' contents, cleaning the data of errors, assigning a unique identifier to each person whose identifying information is included in the database, ensuring that all appearances of each person's identifying information in the database are tagged with that person's unique identifier, and making the data available to the public for easy download in file formats well-suited for manipulation and analysis of data.

15. Every person failing to file a report as required by this section shall receive a warning from the executive director of the Missouri ethics commission. After one warning, a person failing to file a report shall be assessed a late filing fee of one hundred dollars for each day after such report is due to the commission, provided that the total amount of such fees assessed under this subsection shall not exceed five thousand dollars per report. The executive director shall send a notice to any person who fails to file such report within seven business days of such failure to file informing such person of such failure and the fees provided by this section.

16. The provisions of subsections 5 to 18 of this section shall not apply to any non-profit organization exempt from taxation under any provision of Section 501(c) of the Internal Revenue Code of 1986, as amended, that:

- (1) Has been in continuous operation for over fifty years;
- (2) Accepts more than one million dollars in annual donations; and
- (3) Operates in all fifty states.

17. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This subsection and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

18. The provisions of this section are self-executing. All of the provisions of this section are severable. If any provision of this section is found by a court of competent jurisdiction to be invalid, unconstitutional or unconstitutionally enacted, the remaining provisions of this section shall be and remain valid.”; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

Senator Dixon assumed the Chair.

Senator Curls assumed the Chair.

Senator Onder offered SA 1 to SA 1:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for Senate Bill No. 305, Page 13, Section

130.041, Lines 10-12 of said amendment, by striking all of said lines; and renumber the remaining paragraph accordingly.

Senator Onder moved that the above amendment be adopted.

President Parson assumed the Chair.

At the request of Senator Schaaf, SA 1 was withdrawn, rendering SA 1 to SA 1 moot.

Senator Schaaf offered SA 2:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for Senate Bill No. 305, Page 1, In the Title, Line 6, by inserting after “session,” the following: “section 130.041 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session,”; and

Further amend said bill, page 22, Section 105.474, line 1 by inserting immediately after all of said line the following:

“105.487. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

(1) Each candidate for elective office, except those candidates for county committee of a political party pursuant to section 115.609 or section 115.611, who is required to file a personal financial disclosure statement shall file a financial interest statement no later than fourteen days after the close of filing at which the candidate seeks nomination or election, and the statement shall be for the twelve months prior to the closing date, except that in the event an individual does not become a candidate until after the date of certification for candidates, the statement shall be filed within fourteen days of the individual’s nomination by caucus. An individual required to file a financial interest statement because of the individual’s candidacy for office prior to a primary election in accordance with this section is also required to amend such statement no later than the close of business on Monday prior to the general election to reflect any changes in financial interest during the interim. The appropriate election authority shall provide to the candidate at the time of filing for election written notice of the candidate’s obligation to file pursuant to sections 105.483 to 105.492 and the candidate shall sign a statement acknowledging receipt of such notice;

(2) Each person appointed to office, except any person elected for county committee of a political party pursuant to section 115.617, and each official or employee described in section 105.483 who is not otherwise covered in this subsection shall file the statement within thirty days of such appointment or employment;

(3) Every other person required by sections 105.483 to 105.492 to file a financial interest statement shall file the statement [annually] **biannually** not later than the [first] **fifteenth** day of [May and] **January for the statement that shall cover the [calendar year ending the immediately preceding] period from July first to December thirty-first of the preceding year, and not later than July fifteenth for the statement that shall cover the period from January first to June thirtieth of the same calendar year;** provided that the governor, lieutenant governor, any member of the general assembly or any member of the governing body of a political subdivision may supplement such person’s financial interest statement to report additional interests acquired after [December thirty-first of the covered year until the date of] **any deadline for filing**

of [the] a financial interest statement;

(4) The deadline for filing any statement required by sections 105.483 to 105.492 shall be 5:00 p.m. of the last day designated for filing the statement. When the last day of filing falls on a Saturday or Sunday or on an official state holiday, the deadline for filing is extended to 5:00 p.m. on the next day which is not a Saturday or Sunday or official holiday. Any statement required within a specified time shall be deemed to be timely filed if it is postmarked not later than midnight of the day previous to the last day designated for filing the statement.”; and

Further amend said bill, Page 32, Section 130.034, line 1 of said page, by inserting after all of said line the following:

“[130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee’s treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee’s records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and

amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and political action committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any

amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except sections 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end at 11:59 p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a political action committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words "consulting or consulting services, fees, or expenses", or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.]

130.041. 1. Except as provided in subsection 5 of section 130.016, the candidate, if applicable, treasurer or deputy treasurer of every committee which is required to file a statement of organization, shall file a legibly printed or typed disclosure report of receipts and expenditures. The reports shall be filed with the appropriate officer designated in section 130.026 at the times and for the periods prescribed in section 130.046. Except as provided in sections 130.049 and 130.050, each report shall set forth:

(1) The full name, as required in the statement of organization pursuant to subsection 5 of section 130.021, and mailing address of the committee filing the report and the full name, mailing address and telephone number of the committee's treasurer and deputy treasurer if the committee has named a deputy treasurer;

(2) The amount of money, including cash on hand at the beginning of the reporting period;

(3) Receipts for the period, including:

(a) Total amount of all monetary contributions received which can be identified in the committee's records by name and address of each contributor. In addition, the candidate committee shall make a reasonable effort to obtain and report the employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received one or more contributions which in the aggregate total in excess of one hundred dollars and shall make a reasonable effort to obtain and report a description of any contractual relationship over five hundred dollars between the contributor and the state if the candidate is seeking election to a state office or between the contributor and any political subdivision of the state if the candidate is seeking election to another political subdivision of the state;

(b) Total amount of all anonymous contributions accepted;

(c) Total amount of all monetary contributions received through fund-raising events or activities from participants whose names and addresses were not obtained with such contributions, with an attached statement or copy of the statement describing each fund-raising event as required in subsection 6 of section 130.031;

(d) Total dollar value of all in-kind contributions received;

(e) A separate listing by name and address and employer, or occupation if self-employed or notation of retirement, of each person from whom the committee received contributions, in money or any other thing of value, aggregating more than one hundred dollars, together with the date and amount of each such contribution;

(f) A listing of each loan received by name and address of the lender and date and amount of the loan. For each loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan;

(4) Expenditures for the period, including:

(a) The total dollar amount of expenditures made by check drawn on the committee's depository;

(b) The total dollar amount of expenditures made in cash;

(c) The total dollar value of all in-kind expenditures made;

(d) The full name and mailing address of each person to whom an expenditure of money or any other

thing of value in the amount of more than one hundred dollars has been made, contracted for or incurred, together with the date, amount and purpose of each expenditure. Expenditures of one hundred dollars or less may be grouped and listed by categories of expenditure showing the total dollar amount of expenditures in each category, except that the report shall contain an itemized listing of each payment made to campaign workers by name, address, date, amount and purpose of each payment and the aggregate amount paid to each such worker;

(e) A list of each loan made, by name and mailing address of the person receiving the loan, together with the amount, terms and date;

(5) The total amount of cash on hand as of the closing date of the reporting period covered, including amounts in depository accounts and in petty cash fund;

(6) The total amount of outstanding indebtedness as of the closing date of the reporting period covered;

(7) The amount of expenditures for or against a candidate or ballot measure during the period covered and the cumulative amount of expenditures for or against that candidate or ballot measure, with each candidate being listed by name, mailing address and office sought. For the purpose of disclosure reports, expenditures made in support of more than one candidate or ballot measure or both shall be apportioned reasonably among the candidates or ballot measure or both. In apportioning expenditures to each candidate or ballot measure, political party committees and political action committees need not include expenditures for maintaining a permanent office, such as expenditures for salaries of regular staff, office facilities and equipment or other expenditures not designed to support or oppose any particular candidates or ballot measures; however, all such expenditures shall be listed pursuant to subdivision (4) of this subsection;

(8) A separate listing by full name and address of any committee including a candidate committee controlled by the same candidate for which a transfer of funds or a contribution in any amount has been made during the reporting period, together with the date and amount of each such transfer or contribution;

(9) A separate listing by full name and address of any committee, including a candidate committee controlled by the same candidate from which a transfer of funds or a contribution in any amount has been received during the reporting period, together with the date and amount of each such transfer or contribution;

(10) Each committee that receives a contribution which is restricted or designated in whole or in part by the contributor for transfer to a particular candidate, committee or other person shall include a statement of the name and address of that contributor in the next disclosure report required to be filed after receipt of such contribution, together with the date and amount of any such contribution which was so restricted or designated by that contributor, together with the name of the particular candidate or committee to whom such contribution was so designated or restricted by that contributor and the date and amount of such contribution.

2. For the purpose of this section and any other section in this chapter except sections 130.049 and 130.050 which requires a listing of each contributor who has contributed a specified amount, the aggregate amount shall be computed by adding all contributions received from any one person during the following periods:

(1) In the case of a candidate committee, the period shall begin on the date on which the candidate became a candidate according to the definition of the term "candidate" in section 130.011 and end at 11:59

p.m. on the day of the primary election, if the candidate has such an election or at 11:59 p.m. on the day of the general election. If the candidate has a general election held after a primary election, the next aggregating period shall begin at 12:00 midnight on the day after the primary election day and shall close at 11:59 p.m. on the day of the general election. Except that for contributions received during the thirty-day period immediately following a primary election, the candidate shall designate whether such contribution is received as a primary election contribution or a general election contribution;

(2) In the case of a campaign committee, the period shall begin on the date the committee received its first contribution and end on the closing date for the period for which the report or statement is required;

(3) In the case of a political party committee or a political action committee, the period shall begin on the first day of January of the year in which the report or statement is being filed and end on the closing date for the period for which the report or statement is required; except, if the report or statement is required to be filed prior to the first day of July in any given year, the period shall begin on the first day of July of the preceding year.

3. The disclosure report shall be signed and attested by the committee treasurer or deputy treasurer and by the candidate in case of a candidate committee.

4. The words “consulting or consulting services, fees, or expenses”, or similar words, shall not be used to describe the purpose of a payment as required in this section. The reporting of any payment to such an independent contractor shall be on a form supplied by the appropriate officer, established by the ethics commission and shall include identification of the specific service or services provided including, but not limited to, public opinion polling, research on issues or opposition background, print or broadcast media production, print or broadcast media purchase, computer programming or data entry, direct mail production, postage, rent, utilities, phone solicitation, or fund raising, and the dollar amount prorated for each service.

5. The provisions of subsections 5 to 18 of this section shall be known, and may be cited as, the “Dark Money Disclosure Act”.

6. For the purposes of subsections 5 to 18 of this section, the term “reportable outlay” shall mean any contribution, expenditure, covered transfer, or elected official communication payment.

7. For the purposes of subsections 5 to 18 of this section, the terms “contribution” and “expenditure” shall have the meanings they are given in section 130.011.

8. (1) For the purposes of subsections 5 to 18 of this section, the term “covered transfer” shall mean any monetary or in-kind transfer or payment made to another person with the intention that any part of such transfer or payment be used to make or pay for a reportable outlay by someone other than the person making the transfer or payment. There shall be a rebuttable presumption that a transfer or payment is a covered transfer if the person making the transfer or payment:

(a) Designates, requests, suggests, or discusses the possibility that any part of the transfer or payment be used for:

a. A reportable outlay; or

b. Making a transfer or payment to another person for the purpose of making or paying for a reportable outlay;

(b) Made such transfer or payment in response to a solicitation or other request for a donation

or payment for:

a. The making of a reportable outlay; or

b. Making a transfer or payment to another person for the purpose of making or paying for a reportable outlay;

(c) Knew or had reason to know that the person receiving the transfer or payment intended to use any part of it for:

a. The making of a reportable outlay; or

b. Making a transfer or payment to another person for the purpose of making or paying for a reportable outlay;

(d) Knew or had reason to know that the person receiving the transfer or payment had made reportable outlays in an aggregate amount of ten thousand dollars or more during the two-year period ending on the date of the transfer or payment, provided that it was a non-natural person who received the transfer or payment; or

(e) Knew or had reason to know that the person receiving the transfer or payment would make reportable outlays in an aggregate amount of ten thousand dollars or more during the two-year period beginning on the date of the transfer or payment, provided that it was a non-natural person who received the transfer or payment.

(2) "Covered transfer" shall not include any of the following:

(a) A transfer or payment made in a commercial transaction in the ordinary course of any trade or business conducted by the covered person or in the form of investments made by the covered person;

(b) An offer or tender of a transfer or payment which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

(c) A transfer or payment if:

a. The person making the transfer or payment prohibited, in writing, the use of such transfer or payment for reportable outlays; and

b. The recipient of the transfer or payment agreed to follow the prohibition and deposited the funds in an account segregated from any account used to make reportable outlays;

(d) A transfer or payment between two entities if one of the entities is an affiliate of the other entity or each of the entities is an affiliate of the same entity, unless one of the entities is established for the purpose of making any type of reportable outlay, or unless the transfer or payment is monetary and the recipient deposits the funds into a segregated bank account used to make reportable outlays.

(3) For purposes of this subsection, the following entities shall be considered to be affiliated with each other:

(a) A membership organization, including a trade or professional association, and the related state and local entities of that organization;

(b) A corporation and its wholly owned subsidiaries.

9. (1) For the purposes of subsections 5 to 18 of this section, the term “elected official communication payment” shall mean a payment for a communication that:

(a) Is in the form of:

a. Radio, television, cable, or satellite broadcast;

b. Printed material such as advertisements, pamphlets, circulars, flyers, brochures, or letters;

c. Telephone communication; or

d. Paid internet advertising; and

(b) Is made:

a. In substantial consultation with or at the suggestion of an elected official or an employee of or a consultant to an elected official;

b. By a person who is managed, operated, or founded by an individual who, in the two years preceding the communication, served as an employee or consultant for a person who is an elected official at the time of the communication;

c. By or in consultation with or at the suggestion of a family member of an elected official;

d. By a person founded by or at the suggestion of an elected official or the family member of an elected official; or

e. By a person for which an elected official has raised money in the two years before the communication; and

(c) Includes the name, likeness, or voice of or otherwise clearly identifies any Missouri elected official.

(2) The phrase “elected official communication payment” shall not include a payment for a communication of either of the following types:

(a) Communications with a professional journalist or newscaster, including an editorial board or editorial or opinion writer of a newspaper, magazine, news agency, press association, or wire service; or

(b) A communication that is:

a. Directed, sent or distributed by the distributing organization only to individuals who affirmatively consent to be members of the distributing organization, contribute funds to the distributing organization, or, pursuant to the distributing organization’s articles or bylaws, have the right to vote directly or indirectly for the election of directors or officers, or on changes to bylaws, disposition or all or substantially all of the distributing entity’s assets or the merger or dissolution of the distributing entity; or

b. For the purpose of promoting or staging any candidate debate, town hall or similar forum to which at least two candidates seeking the same office, or two proponents of differing positions on a referendum or question submitted to voters, or two proponents of differing positions on a proposed

official action of a governmental body, are invited as participants, and which does not promote or advance one candidate or position over another.

10. (1) Any person which is not a defined committee, has accepted one or more covered transfers since the most recent general election, and has made a reportable outlay or reportable outlays aggregating five thousand dollars or more since the most recent general election, shall file reports as prescribed in this subsection.

(2) Subsequent to each general election, a person required to file reports by subdivision (1) of this subsection shall file a report no later than fourteen days after first making a reportable outlay which by itself or when added to all other reportable outlays made since the general election equals five thousand dollars or more. After such initial report, an additional report shall be filed no later than fourteen days after any date on which the reporting person makes a reportable outlay which by itself or when added to all other reportable outlays made since the reportable outlay most recently reported equals five thousand dollars or more, except that, if such reportable outlay is made during the thirty days before an election, such additional report shall be filed within forty-eight hours after the date on which the reporting person made such reportable outlay.

(3) All reports filed under this subsection shall contain the following information:

(a) The name and address of the reporting person, and, if that person is a natural person, the name and address of that person's employer;

(b) If the reporting person is a non-natural person, that person's owners, partners, board members, and officers, or their equivalents. In the event that a report does not otherwise include the name of a natural person associated with the reporting person, the report shall include the name, address, and other contact information of at least one natural person with managerial control over the reporting person;

(c) For each reportable outlay made by the reporting person since the most recent general election:

a. The date and dollar value of each reportable outlay;

b. The name and address of the recipient of each reportable outlay; and

c. A description of the nature and purpose of each reportable outlay, including, in addition to any other information required by rules promulgated by the ethics commission, the name of any candidate or ballot measure supported or opposed, and, if the reportable outlay is an elected official communication payment, the name of any elected official identified by the communication and the name of any elected official in connection with whom the communication is made;

(d) Each report shall include receipts of covered transfers accepted since the most recent general election, including:

a. The total dollar value of all covered transfers accepted;

b. (i) A separate listing by name and address, and employer, if any, of each person from whom the reporting person accepted covered transfers aggregating more than five thousand dollars, together with the date and dollar value of each such covered transfer, as well as a description of each such covered transfer that was in-kind;

(ii) The names of the owners, partners, board members, and officers, or their equivalents, of any non-natural person listed pursuant to item (i) of this subparagraph;

c. A listing of each covered transfer that was received in the form of a loan, such loans listed by name and address of the lender and date and amount of the loan. For each such loan of more than one hundred dollars, a separate statement shall be attached setting forth the name and address of the lender and each person liable directly, indirectly or contingently, and the date, amount and terms of the loan; and

d. A listing of each covered transfer accepted that was restricted or designated in whole or in part for a particular purpose by the transferor, such listing including the name and address of the transferor, together with the date and dollar value of the covered transfer, together with a reasonably detailed description of the purpose for which all or part of that covered transfer was restricted or designated.

11. (1) If the person filing a report under subsection 10 of this section has filed any previous report under subsection 10 of this section since the most recent general election, the subsequent report need only include updated information, and need not contain information identical to that provided in previous reports.

(2) Reports filed under subsection 10 of this section need not include information about reportable outlays made before the date on which subsection 10 of this section becomes effective or on covered transfers accepted prior to such date.

(3) (a) For purposes of subsection 10 of this section, if a covered transfer accepted is a payment to an organization of bona fide membership dues that do not exceed two thousand five hundred dollars in a five-year period, the name and other identifying information of the person making the covered transfer need not be reported.

(b) Any report that withholds information pursuant to paragraph (a) of this subdivision shall report the aggregate value of all covered transfers for which information is so withheld, stating that full disclosure has been withheld pursuant to paragraph (a) of this subdivision.

(c) Notwithstanding any other provision of law to the contrary, no provision of subsections 5 to 18 of this section shall be construed in such a way as to negate the exception provided for in paragraph (a) of this subdivision or otherwise be construed in such a way as to require that any person's name or other identifying information be disclosed to any entity as a result of such person having made a payment to an organization of bona fide membership dues that do not exceed two thousand five hundred dollars in a five-year period.

12. (1) No reportable outlay shall be made or accepted, directly or indirectly, in a fictitious name, in the name of another person, or by or through another person with the intent to conceal the original source of the reportable outlay.

(2) (a) The Missouri ethics commission shall promulgate rules to ensure that each person who, during the period between two general elections, is the original source of more than five thousand dollars of expenditures used to support or oppose any single candidate or ballot measure is publicly reported as such, together with the total amount of expenditures used to support or oppose that candidate or ballot measure for which such person is the original source, and together with a listing

of any intermediaries that facilitated the transfer by receiving and transferring funds or items on their path between the original source and the recipient person, including the values, immediate sources, and immediate recipients of such funds or items received and transferred by each such intermediary. For the purposes of this paragraph, “expenditure” shall not include contributions or covered transfers, nor transfers or payments made prior to the date on which this paragraph takes effect as law.

(b) The Missouri ethics commission shall promulgate rules to ensure that each person who, during the period between two general elections, is the original source of more than five thousand dollars of contributions or covered transfers received by any single person is publicly reported as such, together with the total amount of contributions or covered transfers to such recipient for which such contributor or transferor is the original source, and together with a listing of any intermediaries that facilitated the transfer by receiving and transferring funds or items on their path between the original source and the recipient person, including the values, immediate sources, and immediate recipients of such funds or items received and transferred by each such intermediary. For the purposes of this paragraph, the terms “contribution” and “covered transfer” shall not include transfers or payments made prior to the date on which this paragraph takes effect as law.

(c) For the purpose of identifying the original source or original sources of any reportable outlay:

a. When a person making a contribution or covered transfer restricts or designates it for a particular purpose, such contribution or covered transfer shall be attributed to a reportable outlay the purpose of which matches that for which the covered transfer was restricted or designated, if such a reportable outlay is made by the immediate recipient of the covered transfer and if no covered transfer received earlier has already been attributed to that reportable outlay pursuant to this subparagraph.

b. In all other cases, a contribution or covered transfer shall be attributed to a reportable outlay in the same proportion in which other contributions or covered transfers received by the immediate recipient of the contribution or covered transfer and not covered by subparagraph a of this paragraph are so attributed.

(d) For purposes of this subdivision, an “original source” is a person who makes a payment or transfer from its own sources other than covered transfers, donations or gifts, such as wages, investment income, inheritance, or revenue from the sale of goods or services.

13. The disclosure thresholds described in subsection 10 of this section shall be adjusted by an amount based upon the average of the percentage change over a four-year period in the United States Bureau of Labor Statistics Consumer Price Index for Kansas City, all items, all consumers, or its successor index, rounded to the nearest lowest twenty-five dollars and the percentage change over a four-year period in the United States Bureau of Labor Statistics Consumer Price Index for St. Louis, all items, all consumers, or its successor index, rounded to the nearest lowest twenty-five dollars. The first adjustment shall be done in the first quarter of 2019, and then every four years thereafter. The secretary of state shall calculate such an adjustment in each limit and specify the limits in rules promulgated in accordance with chapter 536, as amended from time to time.

14. All reports filed with the Missouri ethics commission under this section or under section 130.047 shall be filed in an electronic format as prescribed by the commission. Within five business

days of receiving any report, the commission shall make the report available to the public on its website in a searchable format. The commission shall also maintain and update at least weekly an online database of such reports' contents, cleaning the data of errors, assigning a unique identifier to each person whose identifying information is included in the database, ensuring that all appearances of each person's identifying information in the database are tagged with that person's unique identifier, and making the data available to the public for easy download in file formats well-suited for manipulation and analysis of data.

15. Every person failing to file a report as required by this section shall receive a warning from the executive director of the Missouri ethics commission. After one warning, a person failing to file a report shall be assessed a late filing fee of one hundred dollars for each day after such report is due to the commission, provided that the total amount of such fees assessed under this subsection shall not exceed five thousand dollars per report. The executive director shall send a notice to any person who fails to file such report within seven business days of such failure to file informing such person of such failure and the fees provided by this section.

16. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This subsection and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

17. The provisions of this section are self-executing. All of the provisions of this section are severable. If any provision of this section is found by a court of competent jurisdiction to be invalid, unconstitutional or unconstitutionally enacted, the remaining provisions of this section shall be and remain valid.

18. Any person who files a report under subsection 10 of this section and has a statutory or common law tort claim shall receive triple the amount of damages allowed under law and may also be awarded punitive damages, if such person demonstrates that but for the filing of the report the injury or harm would not have occurred.

Section B. The repeal and reenactment of section 105.487 of this act shall become effective July 1, 2018"; and

Further amend the title and enacting clause accordingly.

Senator Schaaf moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

Senator Onder offered SA 1 to SA 2:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 2

Amend Senate Amendment No. 2 to Senate Substitute for Senate Bill No. 305, Page 24, Line 1, by inserting after "16." the following: "**The provisions of subsections 5 to 18 of this section shall not apply**

to any non-profit organization exempt from taxation under any provision of Section 501(c) of the Internal Revenue Code of 1986, as amended, that:

- (1) Has been in continuous operation for over fifty days;**
- (2) Accepts more than ten dollars in annual donations; and**
- (3) Operates in any state.**

17.”; and further renumber the remaining subsections accordingly.

Senator Onder moved that the above amendment be adopted.

At the request of Senator Schaaf, SA 2 was withdrawn, rendering SA 1 to SA 2 moot.

Senator Dixon offered SA 3:

SENATE AMENDMENT NO. 3

Amend Senate Substitute for Senate Bill No. 305, Page 1, In the Title, Line 8 of the title, by striking “ethics”; and inserting in lieu thereof the following: “official misconduct”; and

Further amend said bill and page, Section A, Line 7 of said page, by inserting after said line the following:

“29.225. When requested by a prosecuting attorney or circuit attorney or law enforcement agency, the auditor or his or her authorized representatives may audit all or part of any political subdivision or other government entity as part of an investigation of improper government activities, including official misconduct, fraud, misappropriation, mismanagement, waste of resources, or a violation of state or federal law, rule, or regulation.”; and

Further amend said bill, Page 22, Section 105.474, line 1 of said page, by inserting immediately after said line the following:

“105.478. Any person guilty of knowingly violating any of the provisions of sections 105.450 to 105.498 shall be punished as follows:

(1) [For the first offense, such person is guilty of a] **The offense is a class B misdemeanor, unless the person has previously been found guilty of knowingly violating any of the provisions of sections 105.450 to 105.498, in which case such person shall be guilty of a class E felony;**

(2) [For the second and subsequent offenses] **For any offense involving more than seven hundred fifty dollars in value of any combination of goods or services, such person is guilty of a class E felony.**

105.480. 1. For the purposes of this section, the following terms shall mean:

(1) **“Coordinated activity”, any activity made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate’s campaign committee, or not-for-profit organization, which qualifies for tax exempt status under Section 501(c)(4) of the United States Internal Revenue Code of 1986, as now or hereafter amended, or an agent thereof;**

(2) **“Coordinated communication”, communication which is paid for, in whole or in part, by a person other than the candidate or the candidate’s campaign committee and is created, produced, or distributed at the request or suggestion of a candidate, the candidate’s campaign committee, or a not-**

for-profit organization, which qualifies for tax exempt status under Section 501(c)(4) of the United States Internal Revenue Code of 1986, as now or hereafter amended, or an agent thereof.

2. Any person shall have a cause of action against a not-for-profit organization, which qualifies for tax exempt status under Section 501(c)(4) of the United States Internal Revenue Code of 1986, as now or hereafter amended, and a campaign committee as defined under section 130.011 when such person can prove by a preponderance of the evidence that such entities have engaged in a coordinated activity or coordinated communication. If such party prevails, then damages shall equal to five times the total amount of the funds raised by the not-for-profit organization in the preceding five fiscal years. The not-for-profit organization and the campaign committee shall each be equally liable for fifty percent of such amount.

2. Any party receiving a judgment final for purposes of appeal for damages in any case filed pursuant to this section in any division of any circuit court of the state of Missouri shall notify the attorney general of the state of Missouri of such award. The state of Missouri shall have a lien for deposit into the state legal expense fund created under section 105.711 to the extent of fifty percent of the final judgment which shall attach in any such case after deducting attorney's fees and reasonable expenses incurred. In each case, the attorney general shall serve a lien notice by certified mail or registered mail upon the party or parties against whom the state has a claim for collection of its share of the final judgment. On a petition filed by the state, the court, on written notice to all interested parties, shall adjudicate the rights of the parties and enforce the lien. The state can file its lien in all cases where damages are awarded upon the entry of the judgment final for purposes of appeal for actions filed pursuant to this section. Cases resolved by arbitration, mediation or compromise settlement prior to a final judgment are not exempt from the provisions of this subsection. Nothing in this section shall hinder or in any way affect the right or ability of the parties to any claim or lawsuit to compromise or settle such claim or litigation on any terms and at any time the parties desire.

3. The prevailing party of an action brought pursuant to subsection 1 of this section shall be awarded reasonable fees and expenses incurred by that party in the action, including court costs and attorney's fees.”; and

Further amend said bill, Page 32, Section 130.034, Line 1 of said page, by inserting immediately after said line the following:

“531.070. A finding of guilt of the offenses of official misconduct in the first degree or official misconduct in the second degree shall be admissible as prima facie evidence in support of an information in the nature of a quo warranto.

576.040. 1. A public servant, in such person's public capacity or under color of such person's office or employment, commits the offense of official misconduct **in the first degree** if he or she:

(1) [Knowingly discriminates against any employee or any applicant for employment on account of race, creed, color, sex or national origin, provided such employee or applicant possesses adequate training and educational qualifications] **Knowingly exercises an official function relating to his or her office or knowingly refrains from performing a duty imposed upon him or her by law for the purpose of obtaining an improper, undue, or unreasonable financial benefit for himself or herself or another person related within the third degree of consanguinity, or another person who is a business associate,**

or another person when such financial benefit also directly or indirectly benefits the official;

(2) Knowingly demands or receives any fee or reward for the execution of any official act or the performance of a duty imposed by law or by the terms of his or her employment, that is not due, or that is more than is due, or before it is due;

(3) Knowingly collects taxes when none are due, or exacts or demands more than is due; **or**

(4) Is a city or county treasurer, city or county clerk, or other municipal or county officer and knowingly orders the payment of any money, or draws any warrant, or pays over any money for any purpose other than the specific purpose for which the same was assessed, levied and collected, unless it is or shall have become impossible to use such money for that specific purpose];

(5) Is an officer or employee of any court and knowingly charges, collects or receives less fee for his services than is provided by law;

(6) Is an officer or employee of any court and knowingly, directly or indirectly, buys, purchases or trades for any fee taxed or to be taxed as costs in any court of this state, or any county warrant, at less than par value which may be by law due or to become due to any person by or through any such court; or

(7) Is a county officer, deputy or employee and knowingly traffics for or purchases at less than the par value or speculates in any county warrant issued by order of the county commission of his or her county, or in any claim or demand held against such county].

2. The offense of official misconduct **in the first degree** is a class [A misdemeanor] **E felony**.

576.041. 1. A public servant, in such person's public capacity or under color of such person's office or employment, commits the offense of official misconduct in the second degree if he or she:

(1) **Knowingly discriminates against any employee or any applicant for employment on account of race, creed, color, sex, or national origin, provided such employee or applicant possesses adequate training and educational qualifications;**

(2) **Is an officer or employee of any court and knowingly charges, collects, or receives less fee for his or her services than is provided by law;**

(3) **Is an officer or employee of any court and knowingly, directly or indirectly, buys, purchases, or trades for any fee taxed or to be taxed as costs in any court of this state, or any county warrant, at less than par value which may be by law due or to become due to any person by or through any such court; or**

(4) **Is a county officer, deputy, or employee and knowingly traffics for or purchases at less than the par value or speculates in any county warrant issued by order of the county commission of his or her county, or in any claim or demand held against such county.**

2. The offense of official misconduct in the second degree is a class A misdemeanor.

595.219. 1. In addition to the court's authority to order a defendant to make restitution for the damage or loss caused by his or her offense as provided in section 559.105, the court may enter a judgment of restitution against the offenders convicted of official misconduct in the first or second degrees pursuant to the provisions of this section.

2. The court may order the defendant to make restitution to:

(1) The victim;

(2) Any governmental entity; or

(3) A third-party payor, including an insurer that has made payment to the victim to compensate the victim for a property loss or a pecuniary loss.

3. Restitution payments to the victim have priority over restitution payments to a third-party payor. If the victim has been compensated for the victim's loss by a third-party payor, the court may order restitution payments to the third-party payor in the amount that the third-party payor compensated the victim.

4. Payment of restitution to a victim under this section has priority over payment of restitution to any governmental entity.

5. A restitution hearing to determine the liability of the defendant shall be held not later than thirty days after final disposition of the case and may be extended by the court for good cause. In the restitution hearing, a written statement or bill for medical, dental, hospital, funeral, or burial expenses shall be prima facie evidence that the amount indicated on the written statement or bill represents a fair and reasonable charge for the services or materials provided. The burden of proving that the amount indicated on the written statement or bill is not fair and reasonable shall be on the person challenging the fairness and reasonableness of the amount.

6. A judgment of restitution against a defendant may not be entered unless the defendant has been afforded a reasonable opportunity to be heard and to present appropriate evidence in his or her behalf. The defendant shall be advised of his or her right to obtain counsel for representation at the hearing. A hearing under this section may be held as part of a final disposition hearing for the case.

7. The judgment may be enforced in the same manner as enforcing monetary judgments by the prosecuting attorney on behalf of the victim.

8. A judgment of restitution ordered pursuant to this section against a defendant shall not be a bar to a proceeding against the defendant pursuant to section 537.045 or section 8.150 for the balance of the damages not paid pursuant to this section.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted.

Senator Dixon offered SA 1 to SA 3, which was read:

**SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 3**

Amend Senate Amendment No. 3 to Senate Substitute for Senate Bill No. 305, Page 3, Line 7 of said page, by striking “2.” and inserting in lieu thereof “3.”; and

Further amend said amendment, page 4, line 1 of said page, by striking “3.” and inserting in lieu thereof “4.”; and further amend line 2, by striking “1” and inserting in lieu thereof “2”.

Senator Dixon moved that the above amendment be adopted.

Senator Holsman requested a roll call vote be taken on the adoption of **SA 3**. He was joined in his request by Senators Dixon, Kehoe, Onder and Sifton.

At the request of Senator Kehoe, **SB 305**, with **SS**, **SA 3** and **SA 1 to SA 3** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Cunningham moved that the Senate refuse to concur in **HCS** for **SS** for **SB 34**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Rowden assumed the Chair.

Senator Hegeman moved that the Senate refuse to concur in **HCS** for **SS** for **SB 62**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Hegeman moved that the Senate refuse to concur in **HCS** for **SB 111**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate refuse to concur in **HA 1**, **HA 2** and **HA 3** to **SB 64** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, as amended, **HA 4** and **HA 5**, as amended, to **SB 411** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Walsh moved that the Senate refuse to concur in **HA 1**, **HA 2**, **HA 3**, **HA 4**, **HA 5**, as amended, **HA 6**, as amended, **HA 7**, as amended, **HA 8**, **HA 9**, **HA 10**, as amended, **HA 11**, **HA 12**, as amended, **HA 13**, **HA 14** and **HA 15** to **SB 50** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wieland moved that the Senate refuse to concur in **HCS** for **SB 302**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 303**; **HB 209**, with **SCS**; **HB 571**, with **SCS**; and **HCS** for **HB 334**, with **SCS** to the Committee on Fiscal Oversight.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 8**, with **HA 1**, **HA 2**, **HA 3**, as amended, **HA 4**, **HA 5**, **HA 6**, **HA 7**, **HA 8**, as amended and **HA 9**, as amended: Senators Munzlinger, Rowden, Schatz, Schupp and Hummel.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted

the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SCS** for **SB 495**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

RESOLUTIONS

Senator Schatz offered Senate Resolution No. 947, regarding Jennifer Eagan, Union, which was adopted.

Senator Schatz offered Senate Resolution No. 948, regarding Theodore R. “Ted” Greer, Wildwood, which was adopted.

Senator Schatz offered Senate Resolution No. 949, regarding Katie Ann Kersting, Chesterfield, which was adopted.

Senator Romine offered Senate Resolution No. 950, regarding Judy French, Potosi, which was adopted.

Senator Walsh offered Senate Resolution No. 951, regarding Eagle Scout Nathan McDonald, Florissant, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 1:00 p.m., Monday, May 8, 2017.

SENATE CALENDAR

SIXTY-SEVENTH DAY—MONDAY, MAY 8, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HC <small>B</small> 10-Engler	HCS for HB 670
HCS for HB 619	HB 743-Conway
HCS for HB 162	HB 824-Reiboldt
HB 97-Swan	HCS for HB 384
HCS for HB 293	HCS for HB 886
HCS for HB 219	HC <small>B</small> 7-Fitzwater
HCS for HB 324	HC <small>B</small> 1-McGaugh
HCS for HB 746	HCS for HB 608
HCS for HB 194	HCS for HB 380
HCS for HBs 960, 962 & 828	

THIRD READING OF SENATE BILLS

SCS for SB 495-Riddle

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|-----------------------------|
| 1. SB 535-Wallingford | 9. SB 483-Holsman |
| 2. SB 523-Sater, with SCS | 10. SB 498-Nasheed |
| 3. SB 480-Kraus | 11. SB 251-Kehoe, with SCS |
| 4. SB 407-Riddle, with SCS | 12. SB 528-Hegeman |
| 5. SB 353-Wallingford, with SCS | 13. SB 307-Munzlinger |
| 6. SB 380-Riddle | 14. SB 472-Hoskins |
| 7. SB 297-Hummel, with SCS | 15. SB 524-Koenig, with SCS |
| 8. SB 474-Schatz | |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HB 288-Fitzpatrick (Kehoe) | 23. HB 289-Fitzpatrick, with SCS (Rowden) |
| 2. HCS for HB 151 (Silvey) | 24. HB 493-Bondon, with SCS (Silvey) |
| 3. HB 850-Davis (Kraus) | 25. HB 52-Andrews (Hegeman) |
| 4. HCS for HB 452 (Rowden) | 26. HCS for HB 647, with SCS (Sater) |
| 5. HCS for HB 831, with SCS (Hummel) | 27. HCS for HB 353, with SCS (Sater) |
| 6. HCS for HB 381, with SCS (Hegeman) | 28. HCS for HB 54, with SCS (Emery) |
| 7. HB 58-Haefner (Onder) | 29. HB 355-Bahr (Eigel) |
| 8. HB 175-Reiboldt, with SCS (Munzlinger) | 30. HCS for HB 122, with SCS (Onder) |
| 9. HB 327-Morris (Curls) | 31. HCS for HB 230, with SCS (Koenig) |
| 10. HB 680-Fitzwater, with SCS (Wasson) | 32. HB 700-Cookson, with SCS (Libla) |
| 11. HCS for HB 57-Haefner, with SCS (Libla) | 33. HB 1045-Haahr (Wasson) |
| 12. HCS for HB 422 (Dixon) | 34. HB 909-Fraker (Wasson) |
| 13. HB 245-Rowland, with SCS (Cunningham) | 35. HCS for HB 631, with SCS (Emery) |
| 14. HB 262-Sommer (Hoskins) | 36. HCS for HB 348 (Romine) |
| 15. HCS for HB 270 (Rowden) | 37. HJR 10-Brown (Romine) |
| 16. HCS for HB 661, with SCS (Emery) | 38. HCS#2 for HB 502 (Rowden) |
| 17. HB 758-Cookson, with SCS (Romine) | 39. HCS for HB 304, with SCS (Koenig) |
| 18. HCS for HB 138, with SCS (Onder) | 40. HB 871-Davis, with SCS (Kraus) |
| 19. HCS for HB 441 (Rowden) | 41. HB 843-McGaugh, with SCS (Hegeman) |
| 20. HCS for HB 253, with SCS (Romine) | 42. HB 200-Fraker, with SCS (Sater) |
| 21. HB 94-Lauer (Romine) | 43. HCS for HB 703 (Hegeman) |
| 22. HB 248-Fitzwater, with SCS | 44. HB 956-Kidd, with SCS (Rizzo) |
| (Cunningham) | 45. HCS for HB 199, with SCS (Cunningham) |

- | | |
|--|--|
| 46. HB 87-Henderson, with SCS (Romine) | 71. HB 281-Rowland (Sater) |
| 47. HB 587-Redmon, with SCS (Hegeman) | 72. HB 568-Tate, with SCS (Schatz) |
| 48. HCS for HB 258, with SCS (Munzlinger) | 73. HCS for HB 741, with SCS (Wieland) |
| 49. HB 349-Brown, with SCS (Sater) | 74. HB 815-Basye, with SCS (Riddle) |
| 50. HCS for HB 316, with SCS
(Wallingford) | 75. HB 557-Ross (Cunningham) |
| 51. HB 558-Ross, with SCS (Schatz) | 76. HCS for HB 694 (Cunningham) |
| 52. HB 586-Rhoads (Rowden) | 77. HCS for HB 225 (Munzlinger) |
| 53. HB 256-Rhoads, with SCS (Munzlinger) | 78. HCS for HB 181 (Sater) |
| 54. HCS for HB 645 (Sater) | 79. HB 697-Trent (Rowden) |
| 55. HCS for HB 183 (Nasheed) | 80. HB 719-Rhoads |
| 56. HCS for HB 542 (Schatz) | 81. HCS for HB 261 (Onder) |
| 57. HB 61-Alferman (Schatz) | 82. HB 294-Lynch (Brown) |
| 58. HB 128, HB 678, HB 701 &
HB 964-Davis, with SCS (Richard) | 83. HCS for HB 303 (Onder)
(In Fiscal Oversight) |
| 59. HB 811-Ruth (Wieland) | 84. HCS for HB 174, with SCS
(Wallingford) |
| 60. HB 805-Basye (Rowden) | 85. HCS for HB 142 (Hoskins) |
| 61. HB 664-Korman (Riddle) | 86. HCS for HB 247, with SCS (Schatz) |
| 62. HB 105-Love (Kraus) | 87. HCS for HB 334, with SCS
(In Fiscal Oversight) |
| 63. HB 849-Pfautsch (Kraus) | 88. HB 571-Engler, with SCS (Romine)
(In Fiscal Oversight) |
| 64. HCS for HB 260, with SCS (Sater) | 89. HCS for HB 656, with SCS |
| 65. HCS for HB 1158, with SCS (Riddle) | 90. HCS for HB 330 |
| 66. HCS for HB 159 (Brown) | 91. HB 209-Wiemann, with SCS (Riddle)
(In Fiscal Oversight) |
| 67. HB 598-Cornejo (Hegeman) | |
| 68. HB 469-Gannon, with SCS (Romine) | |
| 69. HCS for HB 935, with SCS (Walsh) | |
| 70. HB 193-Kelley (Emery) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|--|
| SB 5-Richard | SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) |
| SB 6-Richard, with SCS | SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending) |
| SB 13-Dixon | SBs 44 & 63-Romine, with SCS |
| SB 20-Brown | SB 46-Libla, with SCS |
| SB 21-Brown | SB 61-Hegeman, with SCS |
| SB 28-Sater, with SCS (pending) | |
| SB 32-Emery, with SCS | |

SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending)
SB 68-Onder and Nasheed
SB 76-Munzlinger
SB 80-Wasson, with SCS
SB 81-Dixon
SB 83-Dixon
SB 85-Kraus, with SCS
SB 96-Sater and Emery
SB 97-Sater, with SCS
SB 102-Cunningham, with SCS
SB 103-Wallingford
SB 109-Holsman, with SCS
SB 115-Schupp, with SCS
SB 117-Schupp, with SCS
SB 122-Munzlinger, with SCS
SB 123-Munzlinger
SB 126-Wasson
SB 129-Dixon and Sifton, with SCS
SB 130-Kraus, with SCS
SB 133-Chappelle-Nadal
SB 138-Sater
SB 141-Emery
SB 142-Emery
SB 144-Wallingford
SB 145-Wallingford, with SCS
SB 147-Romine
SB 156-Munzlinger, with SCS
SB 157-Dixon, with SCS
SB 158-Dixon
SB 163-Romine
SB 169-Dixon, with SCS
SB 171-Dixon and Sifton, with SCS
SB 176-Dixon
SB 177-Dixon, with SCS
SB 178-Dixon
SB 180-Nasheed, with SCS
SB 183-Hoskins, with SCS
SB 184-Emery, with SS (pending)
SB 185-Onder, et al, with SCS

SB 188-Munzlinger, with SCS
SB 189-Kehoe, with SCS
SB 190-Emery, with SCS & SS#2 for SCS
(pending)
SB 196-Koenig
SB 199-Wasson
SB 200-Libla
SB 201-Onder, with SCS
SB 203-Sifton, with SCS
SB 207-Sifton
SB 209-Wallingford
SB 210-Onder, with SCS
SB 220-Riddle, with SCS & SS for SCS
(pending)
SB 221-Riddle
SB 223-Schatz, with SCS
SB 227-Koenig, with SCS
SB 228-Koenig, with SS & SA 1 (pending)
SB 230-Riddle
SB 232-Schatz
SB 233-Wallingford
SB 234-Libla, with SCS
SB 239-Rowden, with SCS
SB 242-Emery, with SCS
SB 243-Hegeman
SB 247-Kraus, with SCS
SB 250-Kehoe
SB 252-Dixon, with SCS
SB 258-Munzlinger
SB 259-Munzlinger
SB 260-Munzlinger
SB 261-Munzlinger
SB 262-Munzlinger
SB 263-Riddle
SB 264-Dixon
SB 267-Schatz, with SCS
SB 271-Wasson and Richard, with SCS
SB 280-Hoskins, with SCS
SB 284-Hegeman, with SCS
SBs 285 & 17-Koenig, with SCS

SB 286-Rizzo	SB 391-Munzlinger
SB 290-Schatz, with SCS	SB 392-Holsman
SB 295-Schaaf, with SCS	SB 406-Wasson and Sater
SB 298-Curls	SB 409-Koenig
SB 303-Wieland, with SCS	SB 410-Schatz
SB 305-Kehoe, et al, with SS, SA 3 & SA 1 to SA 3 (pending)	SB 413-Munzlinger
SB 311-Wasson, with SCS	SB 418-Hegeman, with SCS
SBs 314 & 340-Schatz, et al, with SCS	SB 419-Riddle
SB 316-Rowden, with SCS	SB 422-Cunningham, with SCS
SB 325-Kraus	SB 426-Wasson, with SCS
SBs 327, 238 & 360-Romine, with SCS	SB 427-Wasson
SB 328-Romine, with SCS & SA 3 (pending)	SB 430-Cunningham, with SCS
SB 330-Munzlinger	SB 433-Sater, with SCS
SB 331-Hegeman	SB 435-Cunningham, with SCS
SB 333-Schaaf, with SCS	SB 442-Hegeman
SB 336-Wieland	SB 445-Rowden
SB 341-Nasheed, with SCS	SB 448-Emery
SB 348-Wasson, with SA 1 (pending)	SB 451-Nasheed, with SS (pending)
SB 349-Wasson	SB 468-Hegeman
SB 358-Wieland	SB 469-Schatz
SB 362-Hummel	SB 475-Schatz
SB 368-Rowden	SB 485-Hoskins
SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)	SB 517-Wasson
SB 378-Wallingford	SB 518-Emery
SB 379-Schatz	SB 526-Brown
SB 381-Riddle	SB 532-Hoskins
SB 383-Eigel and Wieland	SJR 5-Emery, with SCS (pending)
SB 384-Rowden, with SCS	SJR 9-Romine, with SCS
SB 389-Sater, with SCS	SJR 11-Hegeman, with SCS
	SJR 12-Eigel
	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HB 95-McGaugh (Emery)
HCS for HB 66, with SCS (Sater)	HB 104-Love (Brown)
HB 85-Redmon, with SCS (Hegeman)	HCS for HB 115, with SCS (Wasson)
HCS for HBs 91, 42, 131, 265 & 314 (Brown)	HCS for HBs 190 & 208 (Eigel)
HB 93-Lauer, with SCS (Wasson)	HB 207-Fitzwater (Romine)

HB 251-Taylor, with SCS, SS for SCS,
 SA 2 & SA 3 to SA 2 (pending) (Onder)
 HCS for HB 292, with SCS (Cunningham)
 HCS for HBs 302 & 228, with SCS, SS for
 SCS & SA 5 (pending) (Schatz)
 HB 336-Shull (Wieland)
 HCS for HBs 337, 259 & 575 (Schatz)

HCS for HB 427, with SCS (Kehoe)
 HCS for HB 451 (Wasson)
 HCS for HB 460 (Munzlinger)
 HB 461-Kolkmeier (Munzlinger)
 HB 462-Kolkmeier (Munzlinger)
 HB 655-Engler (Dixon)
 HCS for HBs 1194 & 1193 (Hegeman)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SCS for SB 66-Schatz, with HCS,
 as amended
 SS for SCS for SB 160-Sater, with HCS,
 as amended

SCS for SB 161-Sater, with HCS

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
 as amended, HA 4, HA 5, HA 6, HA 7,
 HA 8, as amended & HA 9, as amended

HCS for HB 19, with SCS (Brown)

Requests to Recede or Grant Conference

SS for SB 34-Cunningham, with HCS,
 as amended (Senate requests House
 recede or grant conference)
 SB 50-Walsh, with HA 1, HA 2, HA 3, HA 4,
 HA 5, as amended, HA 6, as amended,
 HA 7, as amended, HA 8, HA 9, HA 10,
 as amended, HA 11, HA 12, as amended,
 HA 13, HA 14 & HA 15
 (Senate requests House recede or
 grant conference)
 SS for SB 62-Hegeman, with HCS,
 as amended (Senate requests House
 recede or grant conference)

SB 64-Schatz, with HA 1, HA 2 & HA 3
 (Senate requests House recede or
 grant conference)
 SB 111-Hegeman, with HCS, as amended
 (Senate requests House recede or
 grant conference)
 SB 302-Wieland, with HCS, as amended
 (Senate requests House recede or
 grant conference)
 SB 411-Schatz, with HA 1, HA 2, HA 3,
 as amended, HA 4 & HA 5, as amended
 (Senate requests House recede or
 grant conference)

HCS for HBs 90 & 68, with SS, as amended
(Schatz) (House requests Senate
recede or grant conference)

RESOLUTIONS

SR 197-Richard
SR 891-Romine

SR 917-Silvey

Reported from Committee

SCR 6-Walsh
SCR 17-Curls
SCR 18-Wallingford
SCR 25-Cunningham, with SCS

SCR 26-Kehoe
HCR 6-Justus (Sater)
HCR 28-Rowland (Rowden)
HCS for HCR 47 (Schatz)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-SEVENTH DAY—MONDAY, MAY 8, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“The Lord will fulfill his purpose for me; your steadfast love, O Lord, endures forever...” (Psalm 138:8)

Blessed are You, gracious God for as we enter this our final week it is good for us to know that Your love never abandons us. Give to us faith to trust in Your love for us and give to us strength and wisdom to endure what this week will bring and Lord provide guidance that we take the right path that produces the work that You would not forsake. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Friday, May 5, 2017 was read and approved.

Photographers from KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Onder offered Senate Resolution No. 952, regarding Trayvon Jefferson, which was adopted.

Senator Koenig offered Senate Resolution No. 953, regarding Vernon Joseph Purk, Valley Park, which was adopted.

Senator Hummel offered Senate Resolution No. 954, regarding James Dallas “Dallas” Miller, Brentwood, which was adopted.

Senator Hummel offered Senate Resolution No. 955, regarding Arthur Russell “Art” Nagle, which was adopted.

Senator Kehoe offered Senate Resolution No. 956, regarding the Seventieth Wedding Anniversary of Karlos and Jean Prosser, Jefferson City, which was adopted.

Senator Rowden offered Senate Resolution No. 957, regarding Dr. Russell Zguta, which was adopted.

Senator Cunningham offered Senate Resolution No. 958, regarding Randy Spurlock, Ava, which was adopted.

Senator Cunningham offered Senate Resolution No. 959, regarding Texas County Public Water Supply District 1, Roby, which was adopted.

Senator Cunningham offered Senate Resolution No. 960, regarding Madison McDowell, Mountain Grove, which was adopted.

Senator Hegeman offered Senate Resolution No. 961, regarding the Seventy-fifth Wedding Anniversary of Bob and Jeane Crouse, Mound City, which was adopted.

Senator Hegeman offered Senate Resolution No. 962, regarding the Seventieth Wedding Anniversary of Fred and Helen Nail, Bethany, which was adopted.

Senator Hegeman offered Senate Resolution No. 963, regarding the Sixtieth Wedding Anniversary of Jerry and Rita Schieber, Conception, which was adopted.

Senator Hegeman offered Senate Resolution No. 964, regarding the Fiftieth Wedding Anniversary of David and Judy White, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 965, regarding the Seventieth Wedding Anniversary of Dutch and Mary Luke, Maryville, which was adopted.

Senator Hegeman offered Senate Resolution No. 966, regarding the Fiftieth Wedding Anniversary of Paul and Sharon Stillwell, Browning, which was adopted.

PRIVILEGED MOTIONS

Senator Koenig requested unanimous consent of the Senate to be allowed to make, in one motion, the motions necessary to reconsider the votes by which the motion to reconsider the vote by which **HCB 3**, as amended passed was laid on the table; the vote to agree to the title; the vote by which the emergency clause was adopted; and the vote by which **HCB 3**, as amended was read the third time and passed, which request was granted.

Having voted on the prevailing side, Senator Koenig moved that the vote by which the motion to reconsider the vote by which **HCB 3**, as amended passed was laid on the table; the vote to agree to the title; the vote by which the emergency clause was adopted; and the vote by which **HCB 3**, as amended was read the third time and passed be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus	Schaaf—2
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Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—1

HCB 3 was again taken up.

Senator Curls offered **SS** for **HCB 3**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE BILL NO. 3

An Act to repeal section 208.1050, RSMo, and to enact in lieu thereof one new section relating to funds for vulnerable senior citizens, with an emergency clause.

Senator Curls moved that **SS** for **HCB 3**, be adopted, which motion prevailed.

On motion of Senator Koenig, **SS** for **HCB 3**, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Richard	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Eigel	Kraus	Onder	Romine	Schaaf—5
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Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Richard	Riddle	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Eigel	Kraus	Onder	Romine	Schaaf—5
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Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—1

On motion of Senator Koenig, title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schatz moved that the Senate refuse to recede on **SS** for **HCS** for **HBs 90** and **68**, as amended and grant the House a conference thereon, and further that the conferees be allowed to exceed the differences.

Senator Kraus made a substitute motion that the Senate refuse to recede on **SS** for **HCS** for **HBs 90** and **68**, as amended and grant the House a conference thereon, which motion prevailed.

President Pro Tem Richard assumed the Chair.

Senator Sater moved that **SS** for **SCS** for **SB 160**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 160**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 160

An Act to repeal sections 21.771, 210.110, 210.152, 210.565, 211.059, 211.081, 211.211, 211.351, 211.361, 211.401, and 211.447, RSMo, and to enact in lieu thereof twelve new sections relating to child protection, with an emergency clause for certain sections.

Was taken up.

President Parson assumed the Chair.

Senator Sater moved that **HCS for SS for SCS for SB 160**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—1

On motion of Senator Sater, **HCS for SS for SCS for SB 160**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Schaaf—1

Absent—Senators—None

Absent with leave—Senator Nasheed—1

Vacancies—1

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HBs 90** and **68**, as amended: Senators Schatz, Kraus, Sater, Schupp and Hummel.

PRIVILEGED MOTIONS

Senator Schatz moved that **SS** for **SCS** for **SB 66**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SCS** for **SB 66**, as amended, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 66

An Act to repeal sections 287.020, 287.037, 287.120, 287.149, 287.170, 287.200, 287.203, 287.243, 287.280, 287.390, and 287.780, RSMo, and to enact in lieu thereof eleven new sections relating to workers' compensation.

Was taken up.

Senator Schatz moved that **HCS** for **SS** for **SCS** for **SB 66**, as amended, be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Schatz, **HCS** for **SS** for **SCS** for **SB 66**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Sater moved that **SCS** for **SB 161**, with **HCS**, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SCS** for **SB 161**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 161

An Act to amend chapter 620, RSMo, by adding thereto one new section relating to the Ozark exploration bicentennial commission.

Was taken up.

Senator Sater moved that **HCS** for **SCS** for **SB 161** be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus	Schaaf—2
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Absent—Senator Cunningham—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, **HCS for SCS for SB 161** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators

Kraus	Schaaf—2
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

HB 336, introduced by Representative Shull, entitled:

An Act to repeal section 376.620, RSMo, and to enact in lieu thereof one new section relating to life insurance.

Was taken up by Senator Wieland.

On motion of Senator Wieland, **HB 336** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 292, with **SCS**, entitled:

An Act to repeal sections 362.105, 362.111, 362.280, 362.285, 365.100, 408.140, and 408.330, RSMo, and to enact in lieu thereof five new sections relating to powers of banks.

Was taken up by Senator Cunningham.

SCS for HCS for HB 292, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 292

An Act to repeal sections 362.105, 362.111, 362.280, 362.285, 365.100, 408.140, and 408.330, RSMo, and to enact in lieu thereof five new sections relating to powers of certain financial institutions.

Was taken up.

Senator Cunningham offered **SS** for **SCS** for **HCS for HB 292**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 292

An Act to repeal sections 362.105, 362.111, 362.280, 362.285, 365.100, 408.140, 408.330, and 443.812,

RSMo, and to enact in lieu thereof thirty-two new sections relating to powers of certain financial institutions, with penalty provisions.

Senator Cunningham moved that **SS** for **SCS** for **HCS** for **HB 292** be adopted.

At the request of Senator Cunningham, **HCS** for **HB 292**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

HCS for **HBs 190** and **208**, entitled:

An Act to repeal sections 174.709, 174.712, and 178.862, RSMo, and to enact in lieu thereof three new sections relating to community college police officers.

Was taken up by Senator Eigel.

On motion of Senator Eigel, **HCS** for **HBs 190** and **208** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Schaaf	Schupp	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Schatz Silvey—2

Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Eigel, title to the bill was agreed to.

Senator Eigel moved that the vote by which the bill passed be reconsidered.

Senator Dixon moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 34**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to

act with a like committee from the Senate on **HCS for SS for SB 34**, as amended. Representatives: Rhoads, Hill, Houx, Roberts, May.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1, HA 2, HA 3 to SB 64**, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 64**, as amended. Representatives: Alferman, Reiboldt, Fraker, Burns, Kendrick.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1, HA 2, HA 3, HA 4, HA 1 to HA 5, HA 5 as amended, HA 1 to HA 6, HA 6 as amended, HA 1 to HA 7, HA 7 as amended, HA 8, HA 9, HA 1 to HA 10, HA 10 as amended, HA 11, HA 1 to HA 12, HA 12 as amended, HA 13, HA 14, HA 15 to SB 50**, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 50**, as amended. Representatives: Frederick, White, McGaugh, Barnes (28), Arthur.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SS for SB 62**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS for SS for SB 62**, as amended. Representatives: Black, Walker (3), Pike, Morgan, Brown (27).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SB 111**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS for SB 111**, as amended. Representatives: Crawford, Bondon, Plocher, McCreery, Smith (85).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1, HA 2, HA 1 to HA 3, HA 3** as amended, **HA 4, HA 1 to HA 5, HA 5** as amended to **SB 411** and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 411**, as amended. Representatives: Tate, Alferman, Curtman, Burns, Razer.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 34**, as amended. Senators: Cunningham, Hegeman, Schatz, Nasheed and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 64**, as amended. Senators: Schatz, Wieland, Munzlinger, Hummel and Curls.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 50**, as amended. Senators: Walsh, Curls, Sater, Riddle and Wasson.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 62**, as amended. Senators: Hegeman, Cunningham, Munzlinger, Hummel and Schupp.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 111**, as amended. Senators: Hegeman, Sater, Wallingford, Rizzo and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 411**, as amended. Senators: Schatz, Hegeman, Sater, Sifton and Rizzo.

INTRODUCTION OF GUESTS

Senator Schupp introduced to the Senate, the Physician of the Day, Dr. Christopher Young, St. Louis.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-EIGHTH DAY—TUESDAY, MAY 9, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler
HCS for HB 619

HCS for HB 162
HB 97-Swan

HCS for HB 293	HB 824-Reiboldt
HCS for HB 219	HCS for HB 384
HCS for HB 324	HCS for HB 886
HCS for HB 746	HCB 7-Fitzwater
HCS for HB 194	HCB 1-McGaugh
HCS for HBs 960, 962 & 828	HCS for HB 608
HCS for HB 670	HCS for HB 380
HB 743-Conway	

THIRD READING OF SENATE BILLS

SCS for SB 495-Riddle

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|-----------------------------|
| 1. SB 535-Wallingford | 9. SB 483-Holsman |
| 2. SB 523-Sater, with SCS | 10. SB 498-Nasheed |
| 3. SB 480-Kraus | 11. SB 251-Kehoe, with SCS |
| 4. SB 407-Riddle, with SCS | 12. SB 528-Hegeman |
| 5. SB 353-Wallingford, with SCS | 13. SB 307-Munzlinger |
| 6. SB 380-Riddle | 14. SB 472-Hoskins |
| 7. SB 297-Hummel, with SCS | 15. SB 524-Koenig, with SCS |
| 8. SB 474-Schatz | |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HB 288-Fitzpatrick (Kehoe) | 16. HCS for HB 661, with SCS (Emery) |
| 2. HCS for HB 151 (Silvey) | 17. HB 758-Cookson, with SCS (Romine) |
| 3. HB 850-Davis (Kraus) | 18. HCS for HB 138, with SCS (Onder) |
| 4. HCS for HB 452 (Rowden) | 19. HCS for HB 441 (Rowden) |
| 5. HCS for HB 831, with SCS (Hummel) | 20. HCS for HB 253, with SCS (Romine) |
| 6. HCS for HB 381, with SCS (Hegeman) | 21. HB 94-Lauer (Romine) |
| 7. HB 58-Haefner (Onder) | 22. HB 248-Fitzwater, with SCS |
| 8. HB 175-Reiboldt, with SCS (Munzlinger) | (Cunningham) |
| 9. HB 327-Morris (Curls) | 23. HB 289-Fitzpatrick, with SCS (Rowden) |
| 10. HB 680-Fitzwater, with SCS (Wasson) | 24. HB 493-Bondon, with SCS (Silvey) |
| 11. HCS for HB 57-Haefner, with SCS | 25. HB 52-Andrews (Hegeman) |
| (Libla) | 26. HCS for HB 647, with SCS (Sater) |
| 12. HCS for HB 422 (Dixon) | 27. HCS for HB 353, with SCS (Sater) |
| 13. HB 245-Rowland, with SCS (Cunningham) | 28. HCS for HB 54, with SCS (Emery) |
| 14. HB 262-Sommer (Hoskins) | 29. HB 355-Bahr (Eigel) |
| 15. HCS for HB 270 (Rowden) | 30. HCS for HB 122, with SCS (Onder) |

- | | |
|--|--|
| 31. HCS for HB 230, with SCS (Koenig) | 63. HB 849-Pfautsch (Kraus) |
| 32. HB 700-Cookson, with SCS (Libla) | 64. HCS for HB 260, with SCS (Sater) |
| 33. HB 1045-Haahr (Wasson) | 65. HCS for HB 1158, with SCS (Riddle) |
| 34. HB 909-Fraker (Wasson) | 66. HCS for HB 159 (Brown) |
| 35. HCS for HB 631, with SCS (Emery) | 67. HB 598-Cornejo (Hegeman) |
| 36. HCS for HB 348 (Romine) | 68. HB 469-Gannon, with SCS (Romine) |
| 37. HJR 10-Brown (Romine) | 69. HCS for HB 935, with SCS (Walsh) |
| 38. HCS#2 for HB 502 (Rowden) | 70. HB 193-Kelley (Emery) |
| 39. HCS for HB 304, with SCS (Koenig) | 71. HB 281-Rowland (Sater) |
| 40. HB 871-Davis, with SCS (Kraus) | 72. HB 568-Tate, with SCS (Schatz) |
| 41. HB 843-McGaugh, with SCS (Hegeman) | 73. HCS for HB 741, with SCS (Wieland) |
| 42. HB 200-Fraker, with SCS (Sater) | 74. HB 815-Basye, with SCS (Riddle) |
| 43. HCS for HB 703 (Hegeman) | 75. HB 557-Ross (Cunningham) |
| 44. HB 956-Kidd, with SCS (Rizzo) | 76. HCS for HB 694 (Cunningham) |
| 45. HCS for HB 199, with SCS (Cunningham) | 77. HCS for HB 225 (Munzlinger) |
| 46. HB 87-Henderson, with SCS (Romine) | 78. HCS for HB 181 (Sater) |
| 47. HB 587-Redmon, with SCS (Hegeman) | 79. HB 697-Trent (Rowden) |
| 48. HCS for HB 258, with SCS (Munzlinger) | 80. HB 719-Rhoads |
| 49. HB 349-Brown, with SCS (Sater) | 81. HCS for HB 261 (Onder) |
| 50. HCS for HB 316, with SCS
(Wallingford) | 82. HB 294-Lynch (Brown) |
| 51. HB 558-Ross, with SCS (Schatz) | 83. HCS for HB 303 (Onder)
(In Fiscal Oversight) |
| 52. HB 586-Rhoads (Rowden) | 84. HCS for HB 174, with SCS
(Wallingford) |
| 53. HB 256-Rhoads, with SCS (Munzlinger) | 85. HCS for HB 142 (Hoskins) |
| 54. HCS for HB 645 (Sater) | 86. HCS for HB 247, with SCS (Schatz) |
| 55. HCS for HB 183 (Nasheed) | 87. HCS for HB 334, with SCS
(In Fiscal Oversight) |
| 56. HCS for HB 542 (Schatz) | 88. HB 571-Engler, with SCS (Romine)
(In Fiscal Oversight) |
| 57. HB 61-Alferman (Schatz) | 89. HCS for HB 656, with SCS |
| 58. HB 128, HB 678, HB 701 &
HB 964-Davis, with SCS (Richard) | 90. HCS for HB 330 |
| 59. HB 811-Ruth (Wieland) | 91. HB 209-Wiemann, with SCS (Riddle)
(In Fiscal Oversight) |
| 60. HB 805-Basye (Rowden) | |
| 61. HB 664-Korman (Riddle) | |
| 62. HB 105-Love (Kraus) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|------------------------|---------------------------------|
| SB 5-Richard | SB 20-Brown |
| SB 6-Richard, with SCS | SB 21-Brown |
| SB 13-Dixon | SB 28-Sater, with SCS (pending) |

SB 32-Emery, with SCS
SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)
SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending)
SBs 44 & 63-Romine, with SCS
SB 46-Libla, with SCS
SB 61-Hegeman, with SCS
SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending)
SB 68-Onder and Nasheed
SB 76-Munzlinger
SB 80-Wasson, with SCS
SB 81-Dixon
SB 83-Dixon
SB 85-Kraus, with SCS
SB 96-Sater and Emery
SB 97-Sater, with SCS
SB 102-Cunningham, with SCS
SB 103-Wallingford
SB 109-Holsman, with SCS
SB 115-Schupp, with SCS
SB 117-Schupp, with SCS
SB 122-Munzlinger, with SCS
SB 123-Munzlinger
SB 126-Wasson
SB 129-Dixon and Sifton, with SCS
SB 130-Kraus, with SCS
SB 133-Chappelle-Nadal
SB 138-Sater
SB 141-Emery
SB 142-Emery
SB 144-Wallingford
SB 145-Wallingford, with SCS
SB 147-Romine
SB 156-Munzlinger, with SCS
SB 157-Dixon, with SCS
SB 158-Dixon
SB 163-Romine
SB 169-Dixon, with SCS
SB 171-Dixon and Sifton, with SCS
SB 176-Dixon
SB 177-Dixon, with SCS
SB 178-Dixon
SB 180-Nasheed, with SCS
SB 183-Hoskins, with SCS
SB 184-Emery, with SS (pending)
SB 185-Onder, et al, with SCS
SB 188-Munzlinger, with SCS
SB 189-Kehoe, with SCS
SB 190-Emery, with SCS & SS#2 for SCS
(pending)
SB 196-Koenig
SB 199-Wasson
SB 200-Libla
SB 201-Onder, with SCS
SB 203-Sifton, with SCS
SB 207-Sifton
SB 209-Wallingford
SB 210-Onder, with SCS
SB 220-Riddle, with SCS & SS for SCS
(pending)
SB 221-Riddle
SB 223-Schatz, with SCS
SB 227-Koenig, with SCS
SB 228-Koenig, with SS & SA 1 (pending)
SB 230-Riddle
SB 232-Schatz
SB 233-Wallingford
SB 234-Libla, with SCS
SB 239-Rowden, with SCS
SB 242-Emery, with SCS
SB 243-Hegeman
SB 247-Kraus, with SCS
SB 250-Kehoe
SB 252-Dixon, with SCS
SB 258-Munzlinger
SB 259-Munzlinger
SB 260-Munzlinger
SB 261-Munzlinger
SB 262-Munzlinger
SB 263-Riddle
SB 264-Dixon
SB 267-Schatz, with SCS
SB 271-Wasson and Richard, with SCS
SB 280-Hoskins, with SCS
SB 284-Hegeman, with SCS
SBs 285 & 17-Koenig, with SCS

SB 286-Rizzo	SB 391-Munzlinger
SB 290-Schatz, with SCS	SB 392-Holsman
SB 295-Schaaf, with SCS	SB 406-Wasson and Sater
SB 298-Curls	SB 409-Koenig
SB 303-Wieland, with SCS	SB 410-Schatz
SB 305-Kehoe, et al, with SS, SA 3 & SA 1 to SA 3 (pending)	SB 413-Munzlinger
SB 311-Wasson, with SCS	SB 418-Hegeman, with SCS
SBs 314 & 340-Schatz, et al, with SCS	SB 419-Riddle
SB 316-Rowden, with SCS	SB 422-Cunningham, with SCS
SB 325-Kraus	SB 426-Wasson, with SCS
SBs 327, 238 & 360-Romine, with SCS	SB 427-Wasson
SB 328-Romine, with SCS & SA 3 (pending)	SB 430-Cunningham, with SCS
SB 330-Munzlinger	SB 433-Sater, with SCS
SB 331-Hegeman	SB 435-Cunningham, with SCS
SB 333-Schaaf, with SCS	SB 442-Hegeman
SB 336-Wieland	SB 445-Rowden
SB 341-Nasheed, with SCS	SB 448-Emery
SB 348-Wasson, with SA 1 (pending)	SB 451-Nasheed, with SS (pending)
SB 349-Wasson	SB 468-Hegeman
SB 358-Wieland	SB 469-Schatz
SB 362-Hummel	SB 475-Schatz
SB 368-Rowden	SB 485-Hoskins
SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)	SB 517-Wasson
SB 378-Wallingford	SB 518-Emery
SB 379-Schatz	SB 526-Brown
SB 381-Riddle	SB 532-Hoskins
SB 383-Eigel and Wieland	SJR 5-Emery, with SCS (pending)
SB 384-Rowden, with SCS	SJR 9-Romine, with SCS
SB 389-Sater, with SCS	SJR 11-Hegeman, with SCS
	SJR 12-Eigel
	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HB 207-Fitzwater (Romine)
HCS for HB 66, with SCS (Sater)	HB 251-Taylor, with SCS, SS for SCS, SA 2 & SA 3 to SA 2 (pending) (Onder)
HB 85-Redmon, with SCS (Hegeman)	HCS for HB 292, with SCS & SS for SCS (pending) (Cunningham)
HCS for HBs 91, 42, 131, 265 & 314 (Brown)	HCS for HBs 302 & 228, with SCS, SS for SCS & SA 5 (pending) (Schatz)
HB 93-Lauer, with SCS (Wasson)	HCS for HBs 337, 259 & 575 (Schatz)
HB 95-McGaugh (Emery)	HCS for HB 427, with SCS (Kehoe)
HB 104-Love (Brown)	
HCS for HB 115, with SCS (Wasson)	

HCS for HB 451 (Wasson)
HCS for HB 460 (Munzlinger)
HB 461-Kolkmeier (Munzlinger)

HB 462-Kolkmeier (Munzlinger)
HB 655-Engler (Dixon)
HCS for HBs 1194 & 1193 (Hegeman)

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
as amended, HA 4, HA 5, HA 6, HA 7,
HA 8, as amended & HA 9, as amended
SS for SB 34-Cunningham, with HCS,
as amended
SB 50-Walsh, with HA 1, HA 2, HA 3,
HA 4, HA 5, as amended, HA 6, as
amended, HA 7, as amended, HA 8,
HA 9, HA 10, as amended, HA 11, HA 12,
as amended, HA 13, HA 14 & HA 15

SS for SB 62-Hegeman, with HCS,
as amended
SB 64-Schatz, with HA 1, HA 2 & HA 3
SB 111-Hegeman, with HCS, as amended
SB 411-Schatz, with HA 1, HA 2, HA 3,
as amended, HA 4 & HA 5, as amended
HCS for HB 19, with SCS (Brown)
HCS for HBs 90 & 68, with SS, as amended
(Schatz)

Requests to Recede or Grant Conference

SB 302-Wieland, with HCS, as amended
(Senate requests House recede or
grant conference)

RESOLUTIONS

SR 197-Richard
SR 891-Romine

SR 917-Silvey

Reported from Committee

SCR 6-Walsh
SCR 17-Curls
SCR 18-Wallingford
SCR 25-Cunningham, with SCS

SCR 26-Kehoe
HCR 6-Justus (Sater)
HCR 28-Rowland (Kehoe)
HCS for HCR 47 (Schatz)

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Journal of the Senate

FIRST REGULAR SESSION

SIXTY-EIGHTH DAY—TUESDAY, MAY 9, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Cast your burdens on the Lord and he will sustain you. He will never permit the righteous to be moved.” (Psalm 55:22)

Almighty and Gracious God we ask that You hear our petitions to You. You know we face so much in this world that brings pain and hardship so we need Your presence with us so we know that there is hope and there are things we can do to provide help and relief for those in need. So we ask that You give us those things can only come from You and the wisdom on how to best use your gifts. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 967, regarding Karen S. Weiler, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 968, regarding Sandra L. Naeger, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 969, regarding Barbara Jokerst, Sainte Genevieve, which was adopted.

Senator Romine offered Senate Resolution No. 970, regarding Debra Nadeau, Perryville, which was adopted.

Senator Romine offered Senate Resolution No. 971, regarding Michelle A. Meyer, Sainte Genevieve, which was adopted.

Senator Schaaf offered Senate Resolution No. 972, regarding Barbara James, St. Joseph, which was adopted.

Senator Schaaf offered Senate Resolution No. 973, regarding John Kimball James, St. Joseph, which was adopted.

Senator Eigel offered Senate Resolution No. 974, regarding Kelsey Vancil, Saint Peters, which was adopted.

Senator Eigel offered Senate Resolution No. 975, regarding Cletus C. "Clete" Friedman, Saint Charles, which was adopted.

Senator Eigel offered Senate Resolution No. 976, regarding Eugene Charles Keeven, Saint Charles, which was adopted.

Senator Kehoe offered the following resolution:

SENATE RESOLUTION NO. 977

WHEREAS, the General Assembly deems it worthy to support and encourage any of those programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

WHEREAS, the General Assembly also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

WHEREAS, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

WHEREAS, the General Assembly has a long tradition of granting the use of its Chambers to such programs:

NOW, THEREFORE, BE IT RESOLVED that the Missouri Senate hereby grant the participants of the Silver Haired Legislature permission to use the Senate Chamber for the purpose of their regular session from 8:00 a.m. to 5:00 p.m. Tuesday, October 17, 2017 and 8:00 am to 12:00 pm Wednesday, October 18, 2017.

Senator Kehoe requested unanimous consent of the Senate that the rules be suspended for the purpose of taking **SR 977** up for adoption, which request was granted.

On motion of Senator Kehoe, **SR 977** was adopted.

Senator Nasheed offered Senate Resolution No. 978, regarding Bridget Everson, which was adopted.

Senator Nasheed offered Senate Resolution No. 979, regarding Taylor Cofield, Kansas City, which was adopted.

Senator Nasheed offered Senate Resolution No. 980, regarding Henrio Eliziard Thelemaque, Kennesaw, Georgia, which was adopted.

Senator Wieland offered Senate Resolution No. 981, regarding Daniel Edgar “Dan” Chasteen, Barnhart, which was adopted.

Senator Munzlinger offered Senate Resolution No. 982, regarding Ashley West, Bowling Green, which was adopted.

Senator Munzlinger offered Senate Resolution No. 983, regarding Dennis Sandoval, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 984, regarding Jeff Bradley, New London, which was adopted.

Senator Munzlinger offered Senate Resolution No. 985, regarding Kenneth Allen, Clarksville, which was adopted.

Senator Munzlinger offered Senate Resolution No. 986, regarding Devin Illy, Elsberry, which was adopted.

Senator Sater offered Senate Resolution No. 987, regarding Shannon Davies, Clever, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that Representative Vescovo is replacing Representative Bondon on the conference committee for **HCS** for **SB 111**, as amended.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SS** for **HCS** for **HBs 90** and **68**, as amended. Representatives: Rehder, Engler, Morris, Quade, Wessels.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS No. 2** for **SCS** for **SB 43**.

Bill ordered enrolled.

HOUSE BILLS ON THIRD READING

At the request of Senator Kehoe, **HB 288** was placed on the Informal Calendar.

HCS for **HB 151**, entitled:

An Act to repeal sections 302.065 and 302.183, RSMo, and to enact in lieu thereof two new sections

relating to driver's licenses compliant with the federal REAL ID Act of 2005, with an emergency clause.

Was taken up by Senator Silvey.

Senator Silvey offered **SS** for **HCS** for **HB 151**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 151

An Act to repeal sections 302.065, 302.183, 302.188, and 302.189, RSMo, and to enact in lieu thereof three new sections relating to forms of identification, with an emergency clause.

Senator Silvey moved that **SS** for **HCS** for **HB 151** be adopted.

Senator Kraus offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 151, Page 8, Section 302.170, Line 17 of said page, by inserting after all of said line the following:

“13. In addition to any markings or designations required by law, all driver's licenses and identification cards issued by this state to a person who is not a citizen of the United States shall bear a clear and conspicuous marking of “non-citizen”.”; and

Further amend said bill, page 13, section B, line 44 of said page, by inserting immediately after said line the following:

“Section C. Notwithstanding the provisions of section 1.140 to the contrary, the provisions of this act other than subsection 13 of section 302.170 shall be nonseverable, and if any provision other than subsection 13 of section 302.170 is for any reason held to be invalid, such decision shall invalidate all of the remaining provisions of this section.”.

Senator Kraus moved that the above amendment be adopted.

Senator Silvey offered **SA 1** to **SA 1**, which was read:

SENATE AMENDMENT NO. 1 TO
SENATE AMENDMENT NO. 1

Amend Senate Amendment No. 1 to Senate Substitute for House Committee Substitute for House Bill No. 151, Page 1, Line 6, by striking the “;”; and further amend lines 7-15 by striking all of said lines and inserting in lieu thereof the following: “.”.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Kraus, **SA 1**, as amended, was withdrawn.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 151, Page 8, Section 302.170, Line 17 of said page, by inserting after all of said line the following:

“302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license, but not where a license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license. **The department of revenue shall not collect a duplicate license fee for issuance of a REAL ID compliant driver's license or identification card to a person not previously issued a REAL ID compliant driver's license or identification card.**”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted.

At the request of Senator Silvey, **HCS for HB 151**, with **SS** and **SA 2** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SB 302**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS for SB 302**, as amended. Representatives: Ruth, Rone, Miller, McCreery, Beck.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS for HCB 3**, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS for SS for SCS for SB 160**, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

Senator Kehoe announced photographers from St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee

from the House on **HCS** for **SB 302**, as amended: Senators Wieland, Emery, Cunningham, Walsh and Nasheed.

On motion of Senator Kehoe, the Senate recess until 1:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

President Pro Tem Richard assumed the Chair.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **SS** for **SCS** for **SB 160**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

Senator Kehoe announced photographers from KTVI-TV and KSPR-ABC 33 were given permission to take pictures in the Senate Chamber.

President Parson assumed the Chair.

HOUSE BILLS ON THIRD READING

Senator Cunningham moved that **HCS** for **HB 292**, with **SCS** and **SS** for **SCS** (pending) be called from the Informal Calendar and again taken up for 3rd reading and final passage.

SS for **SCS** for **HCS** for **HB 292** was again taken up.

Senator Cunningham moved that **SS** for **SCS** for **HCS** for **HB 292** be adopted, which motion prevailed.

On motion of Senator Cunningham, **SS** for **SCS** for **HCS** for **HB 292** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Libla	Munzlinger	Nasheed	Onder
Richard	Riddle	Romine	Rowden	Sater	Schatz	Silvey
Wallingford	Wasson	Wieland—24				

NAYS—Senators

Chappelle-Nadal	Curls	Hummel	Kraus	Rizzo	Schaaf	Schupp
Sifton	Walsh—9					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 451, entitled:

An Act to repeal section 1.100, RSMo, and to enact in lieu thereof one new section relating to population designations in statutes, with an emergency clause.

Was taken up by Senator Wasson.

On motion of Senator Wasson, **HCS for HB 451** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

PRIVILEGED MOTIONS

Senator Walsh, on behalf of the conference committee appointed to act with a like committee from the House on **SB 50**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 50

The Conference Committee appointed on Senate Bill No. 50, with House Amendment Nos. 1, 2, 3, and 4, House Amendment No. 1 to House Amendment No. 5, House Amendment No. 5 as amended, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment Nos. 8 and

9, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 10 as amended, House Amendment No. 11, House Amendment No. 1 to House Amendment No. 12, House Amendment No. 12 as amended, and House Amendment Nos. 13, 14, and 15, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 50, as amended;
2. That the Senate recede from its position on Senate Bill No. 50;
3. That the attached Conference Committee Substitute for Senate Bill No. 50 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Gina Walsh
 /s/ S. Kiki Curls
 /s/ David Sater
 /s/ Jeanie Riddle
 /s/ Jay Wasson

FOR THE HOUSE:

/s/ Keith Frederick
 /s/ Bill White
 /s/ Joe Don McGaugh
 /s/ Jerome Barnes
 /s/ Lauren Arthur

Senator Walsh moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Walsh, **CCS for SB 50**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 50

An Act to repeal sections 190.241, 191.332, 197.040, 197.050, 197.070, 197.071, 197.080, 197.100, 332.081, 334.036, and 345.051, RSMo, and to enact in lieu thereof sixteen new sections relating to health care, with an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
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Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

At the request of Senator Kraus, **HB 850** was placed on the Informal Calendar.

HCS for HB 452, entitled:

An Act to repeal sections 538.205 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to the liability of an employee of a health care provider.

Was taken up by Senator Rowden.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Schaaf offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 452, Page 2, Section 538.205, Line 17, by striking the words “directly” and inserting in lieu thereof the following: “**completely**”; and further amend line 18 by inserting after the word “individual” the following: “**for such health care provider**”; and

Further amend said bill page 3, section 538.210, line 34 by inserting after “5.” the following: “**The limitations on liability as provided for in**”.

Senator Schaaf moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

At the request of Senator Rowden, **HCS for HB 452**, with **SA 1** (pending) was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Koenig moved that the Senate refuse to recede from its position on **SS for HCB 3** and request

the House to take up and pass **SS** for **HCB 3**, which motion prevailed.

On motion of Senator Kehoe, the Senate recessed until 9:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 139**, entitled:

An Act to repeal sections 208.227, 208.790, and 208.798, RSMo, and to enact in lieu thereof eight new sections relating to controlled substances, with a delayed effective date for certain sections.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment No. 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 2, Section 195.435, Line 2, by inserting immediately after all of said section and line the following:

“196.990. 1. As used in this section, the following terms shall mean:

(1) “Administer”, the direct application of an epinephrine auto-injector to the body of an individual;

(2) “Authorized entity”, any entity or organization at or in connection with which allergens capable of causing anaphylaxis may be present including, but not limited to, restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas. “Authorized entity” shall not include any public school or public charter school;

(3) “Epinephrine auto-injector”, a single-use device used for the automatic injection of a premeasured dose of epinephrine into the human body;

(4) “Physician”, a physician licensed in this state under chapter 334;

(5) “Provide”, the supply of one or more epinephrine auto-injectors to an individual;

(6) “Self-administration”, a person’s discretionary use of an epinephrine auto-injector.

2. A physician may prescribe epinephrine auto-injectors in the name of an authorized entity for use in accordance with this section, and pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense epinephrine auto-injectors under a prescription issued in the name of an authorized entity.

3. An authorized entity may acquire and stock a supply of epinephrine auto-injectors under a prescription issued in accordance with this section. Such epinephrine auto-injectors shall be stored in a location readily accessible in an emergency and in accordance with the epinephrine auto-injector’s instructions for use and any additional requirements established by the department of

health and senior services by rule. An authorized entity shall designate employees or agents who have completed the training required under this section to be responsible for the storage, maintenance, and general oversight of epinephrine auto-injectors acquired by the authorized entity.

4. An authorized entity that acquires a supply of epinephrine auto-injectors under a prescription issued in accordance with this section shall ensure that:

(1) Expected epinephrine auto-injector users receive training in recognizing symptoms of severe allergic reactions including anaphylaxis and the use of epinephrine auto-injectors from a nationally recognized organization experienced in training laypersons in emergency health treatment or another entity or person approved by the department of health and senior services;

(2) All epinephrine auto-injectors are maintained and stored according to the epinephrine auto-injector's instructions for use;

(3) Any person who provides or administers an epinephrine auto-injector to an individual who the person believes in good faith is experiencing anaphylaxis activates the emergency medical services system as soon as possible; and

(4) A proper review of all situations in which an epinephrine auto-injector is used to render emergency care is conducted.

5. Any authorized entity that acquires a supply of epinephrine auto-injectors under a prescription issued in accordance with this section shall notify the emergency communications district or the ambulance dispatch center of the primary provider of emergency medical services where the epinephrine auto-injectors are to be located within the entity's facility.

6. No person shall provide or administer an epinephrine auto-injector to any individual who is under eighteen years of age without the verbal consent of a parent or guardian who is present at the time when provision or administration of the epinephrine auto-injector is needed. Provided, however, that a person may provide or administer an epinephrine auto-injector to such an individual without the consent of a parent or guardian if the parent or guardian is not physically present and the person reasonably believes the individual shall be in imminent danger without the provision or administration of the epinephrine auto-injector.

7. The following persons and entities shall not be liable for any injuries or related damages that result from the administration or self-administration of an epinephrine auto-injector in accordance with this section that may constitute ordinary negligence:

(1) An authorized entity that possesses and makes available epinephrine auto-injectors and its employees, agents, and other trained persons;

(2) Any person who uses an epinephrine auto-injector made available under this section;

(3) A physician that prescribes epinephrine auto-injectors to an authorized entity; or

(4) Any person or entity that conducts the training described in this section.

Such immunity does not apply to acts or omissions constituting a reckless disregard for the safety of others or willful or wanton conduct. The administration of an epinephrine auto-injector in accordance with this section shall not be considered the practice of medicine. The immunity from liability provided under this subsection is in addition to and not in lieu of that provided under section 537.037.

An authorized entity located in this state shall not be liable for any injuries or related damages that result from the provision or administration of an epinephrine auto-injector by its employees or agents outside of this state if the entity or its employee or agent are not liable for such injuries or related damages under the laws of the state in which such provision or administration occurred. No trained person who is in compliance with this section and who in good faith and exercising reasonable care fails to administer an epinephrine auto-injector shall be liable for such failure.

8. All basic life support ambulances and stretcher vans operated in the state shall be equipped with epinephrine auto-injectors and be staffed by at least one individual trained in the use of epinephrine auto-injectors.

9. The provisions of this section shall apply in all counties within the state and any city not within a county.

10. Nothing in this section shall be construed as superseding the provisions of section 167.630.”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“”334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician’s skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional’s skill, training, education, and competence;

(b) Maintain a geographic proximity **of no further than seventy-five miles**; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription

drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Prescriptions for Schedule II medications prescribed by an assistant physician who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

334.104. 1. A physician may enter into collaborative practice arrangements with registered”; and

Further amend said amendment, Page 2, Line 6, by inserting after the phrase “geographic proximity” the phrase “**of no further than seventy-five miles**”; and

Further amend said amendment, Page 4, Line 19, by deleting all of said line and inserting in lieu thereof the following:

“right to refuse to collaborative, without penalty, with a particular physician.

334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

(1) “Applicant”, any individual who seeks to become licensed as a physician assistant;

(2) “Certification” or “registration”, a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;

(3) “Certifying entity”, the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;

(4) “Department”, the department of insurance, financial institutions and professional registration or a

designated agency thereof;

(5) “License”, a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;

(6) “Physician assistant”, a person who has graduated from a physician assistant program accredited by the American Medical Association’s Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;

(7) “Recognition”, the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;

(8) “Supervision”, control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant’s delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient’s home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant’s training and that the physician assistant shall not practice beyond the physician assistant’s training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician’s four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, where the supervising physician is no further than [fifty] **seventy-five** miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

- (2) Performing physical examinations of a patient;
- (3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;
- (4) Performing routine therapeutic procedures;
- (5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;
- (6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;
- (7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;
- (8) Assisting in surgery;
- (9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and
- (10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe nor dispense any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

- (1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;
- (2) The types of drugs, medications, devices or therapies prescribed or dispensed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;
- (3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;
- (4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients;
- (5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe; and
- (6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself

or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet or Medicaid provider while acting under a supervision agreement between the physician and physician assistant.

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 1, Line 1, by deleting said line and inserting in lieu thereof the following:

“Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

“191.1100. 1. Sections 191.1100 to [191.1112] **191.1116** shall be known and may be cited as the “Volunteer Health Services Act”.

2. As used in [sections 191.1100 to 191.1112] **the volunteer health services act**, the following terms shall mean:

(1) “Gross deviation”, a conscious disregard of the safety of others;

(2) “Health care provider”, any physician, surgeon, dentist, nurse, optometrist, mental health professional licensed under chapter 337, veterinarian, or other practitioner of a health care discipline, the professional practice of which requires licensure or certification under state law or under comparable laws of another state, territory, district, or possession of the United States;

(3) “Licensed health care provider”, any health care provider holding a current license or certificate

issued under:

- (a) Missouri state law;
- (b) Comparable laws of another state, territory, district, or possession of the United States;
- (4) “Regularly practice”, to practice more than sixty days within any ninety-day period;

(5) “Sponsoring organization”, any organization that organizes or arranges for the voluntary provision of health care services and registers with the department of health and senior services as a sponsoring organization in accordance with section 191.1106;

(6) “Voluntary provision of health care services”, the providing of professional health care services by a health care provider without charge to a recipient of the services or a third party. The provision of such health care services under sections 191.1100 to 191.1112 shall be the provider’s professional practice area in which the provider is licensed or certified.

191.1110. 1. (1) No licensed health care provider **working on behalf of a sponsoring organization or registered with the appropriate licensing body pursuant to section 191.1114** who engages in the voluntary provision of health care services within the limits of the person’s license, certificate, or authorization to [any] a patient [of a sponsoring organization] shall be liable for any civil damages for any act or omission resulting from the rendering of such services, unless the act or omission was the result of such person’s gross deviation from the ordinary standard of care or willful misconduct.

(2) The volunteer licensee who is providing free care shall not receive compensation of any type, directly or indirectly, or any benefits of any type whatsoever, or any consideration of any nature, from any person for the free care. Nor shall such service be a part of the provider’s training or assignment.

(3) The volunteer licensee shall be acting within the scope of such license, certification, or authority.

(4) A health care licensee providing free health care shall not engage in activities at a clinic, or at the health care licensee’s office, if the activities are performed on behalf of the sponsoring organization, unless such activities are authorized by the appropriate authorities to be performed at the clinic or office and the clinic or office is in compliance with all applicable regulations.

2. For purposes of this section, any commissioned or contract medical officer or dentist serving on active duty in the United States Armed Forces and assigned to duty as a practicing, commissioned, or contract medical officer or dentist at any military hospital or medical facility owned and operated by the United States government shall be deemed to be licensed.

191.1114. 1. To qualify for liability protection under subdivision (1) of subsection 1 of section 191.1110, a health care provider who provides volunteer health care services without working on behalf of a sponsoring organization shall register with the appropriate licensing body before providing such services by submitting a registration fee of fifty dollars and filing a registration form. The registration and fee shall be submitted annually to the appropriate licensing body with the fee to be used for the administration of sections 191.1100 to 191.1116. Such registration form shall contain:

(1) The name of the health care provider;

(2) The address, including street, city, zip code, and county, of the health care provider’s principal office address;

- (3) Telephone numbers for the principal office listed under subdivision (2) of this subsection; and**
- (4) Such additional information as the appropriate licensing body shall require.**

Upon any change in the information required under this subsection, the health care provider shall notify the appropriate licensing body in writing of such change within thirty days of its occurrence.

2. The health care provider shall maintain on file for five years following the date of service the date, place, and type of services provided and shall furnish such records upon request to any regulatory board of any healing arts profession established under state law.

3. Adverse incidents and information on treatment outcomes shall be reported by any provider to the appropriate licensing body if the incidents and information pertain to a patient treated under the volunteer health services act. The appropriate licensing body shall review the incident to determine whether it involves conduct by the licensee that is subject to disciplinary action. All patient medical records and any identifying information contained in adverse incident reports and treatment outcomes which are obtained by governmental entities or licensing bodies under this subsection are confidential.

4. The appropriate licensing body may revoke the registration of any health care provider that fails to comply with the requirements of this section.

5. Nothing in the volunteer health services act shall prohibit a health care provider from providing health care services without charge or shall require a health care provider to register with an appropriate licensing body. However, a health care provider who does not register or who does not work on behalf of a sponsoring organization shall not be entitled to liability protection under subdivision (1) subsection 1 of section 191.1110 or to continuing education credits under section 191.1116.

191.1116. For every hour of volunteer service performed by a health care provider, the appropriate licensing body shall credit such health care professional one hour of continuing education credit, up to a maximum of eight credit hours per licensure period. The health care provider shall submit to the appropriate licensing body a voluntary services report that lists the dates of voluntary service provided, the type of service provided, and the amount of time spent with each patient.”; and

Further amend said bill,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 6, Section 208.798, Line 2, by inserting after all of said section and line the following:

“334.104. 1. A physician may enter into collaborative practice arrangements with registered professional nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse’s skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except the collaborative practice arrangement may allow for geographic proximity to be waived [for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210,] as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision[. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested]; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge,

skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to [specifying geographic areas to be covered,] the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct

reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than [three] **five** full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a

collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, Page 6, Section 208.798, Line 2, by inserting immediately after said section and line the following:

“334.506. 1. As used in this section, “approved health care provider” means a person holding a current and active license as a physician and surgeon under this chapter, a chiropractor under chapter 331, a dentist under chapter 332, a podiatrist under chapter 330, a physician assistant under this chapter, an advanced practice registered nurse under chapter 335, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction whose license is in good standing.

2. A physical therapist shall not initiate treatment for a new injury or illness without a prescription from an approved health care provider.

3. A physical therapist may provide educational resources and training, develop fitness or wellness programs for asymptomatic persons, or provide screening or consultative services within the scope of physical therapy practice without the prescription and direction of an approved health care provider.

4. A physical therapist may examine and treat without the prescription and direction of an approved health care provider any person with a recurring self-limited injury within one year of diagnosis by an approved health care provider or a chronic illness that has been previously diagnosed by an approved health care provider. The physical therapist shall:

(1) Contact the patient's current approved health care provider within seven days of initiating physical therapy services under this subsection;

(2) Not change an existing physical therapy referral available to the physical therapist without approval of the patient's current approved health care provider;

(3) Refer to an approved health care provider any patient whose medical condition at the time of examination or treatment is determined to be beyond the scope of practice of physical therapy;

(4) Refer to an approved health care provider any patient whose condition for which physical therapy services are rendered under this subsection has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever first occurs;

(5) Notify the patient's current approved health care provider prior to the continuation of treatment if treatment rendered under this subsection is to continue beyond thirty days. The physical therapist shall provide such notification for each successive period of thirty days.

5. The provision of physical therapy services of evaluation and screening pursuant to this section shall be limited to a physical therapist, and any authority for evaluation and screening granted within this section may not be delegated. Upon each reinitiation of physical therapy services, a physical therapist shall provide a full physical therapy evaluation prior to the reinitiation of physical therapy treatment. Physical therapy treatment provided pursuant to the provisions of subsection 4 of this section may be delegated by physical therapists to physical therapist assistants only if the patient's current approved health care provider has been

so informed as part of the physical therapist's seven-day notification upon reinitiation of physical therapy services as required in subsection 4 of this section. Nothing in this subsection shall be construed as to limit the ability of physical therapists or physical therapist assistants to provide physical therapy services in accordance with the provisions of this chapter, and upon the referral of an approved health care provider. Nothing in this subsection shall prohibit an approved health care provider from acting within the scope of their practice as defined by the applicable chapters of RSMo.

6. No person licensed to practice, or applicant for licensure, as a physical therapist or physical therapist assistant shall make a medical diagnosis.

7. A physical therapist shall only delegate physical therapy treatment to a physical therapist assistant or to a person in an entry level of a professional education program approved by the Commission [for] **on Accreditation [of] in Physical [Therapists and Physical Therapist Assistant] Therapy Education (CAPTE)** who satisfies supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education. The entry-level person shall be under [on-site] **the** supervision of a physical therapist."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 283**, relating to political subdivisions, entitled:

An Act to repeal sections 67.1364, 137.565, and 233.180, RSMo, and to enact in lieu thereof three new sections relating to local commissions.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment No. 7, House Amendment No. 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9 as amended, House Amendment No. 10, House Amendment No. 11.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants and with a county seat with more than fifteen thousand but fewer than seventeen thousand inhabitants; and

(12) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 283, Page 2, Section 233.180, Line 25, by inserting immediately after said section and line the following:

“304.120. 1. Municipalities, by ordinance, may establish reasonable speed regulations for motor vehicles within the limits of such municipalities. No person who is not a resident of such municipality and who has not been within the limits thereof for a continuous period of more than forty-eight hours shall be convicted of a violation of such ordinances, unless it is shown by competent evidence that there was posted at the place where the boundary of such municipality joins or crosses any highway a sign displaying in black letters not less than four inches high and one inch wide on a white background the speed fixed by such municipality so that such sign may be clearly seen by operators and drivers from their vehicles upon entering such municipality.

2. Municipalities, by ordinance, may:

- (1) Make additional rules of the road or traffic regulations to meet their needs and traffic conditions;
- (2) Establish one-way streets and provide for the regulation of vehicles thereon;
- (3) Require vehicles to stop before crossing certain designated streets and boulevards;

(4) Limit the use of certain designated streets and boulevards to passenger vehicles, except that each municipality shall allow at least one route, with lawful traffic movement and access from both directions, to be available for use by commercial motor vehicles to access any roads in the state highway system. Under no circumstances shall the provisions of this subdivision be construed to authorize a municipality to limit the use of all routes in the municipality. **The use by commercial motor vehicles of a municipality-designated route for such vehicles in compliance with any ordinances of the designating municipality shall not be deemed a nuisance or evidence of a nuisance. Nothing contained in this subdivision is intended to modify or limit recovery for any claim that is independent of a nuisance claim;**

- (5) Prohibit the use of certain designated streets to vehicles with metal tires, or solid rubber tires;

(6) Regulate the parking of vehicles on streets by the installation of parking meters for limiting the time of parking and exacting a fee therefor or by the adoption of any other regulatory method that is reasonable and practical, and prohibit or control left-hand turns of vehicles;

- (7) Require the use of signaling devices on all motor vehicles; and

- (8) Prohibit sound-producing warning devices, except horns directed forward.

3. No ordinance shall be valid which contains provisions contrary to or in conflict with this chapter, except as herein provided.

4. No ordinance shall impose liability on the owner-lessor of a motor vehicle when the vehicle is being permissively used by a lessee and is illegally parked or operated if the registered owner-lessor of such vehicle furnishes the name, address and operator's license number of the person renting or leasing the vehicle at the time the violation occurred to the proper municipal authority within three working days from the time of receipt of written request for such information. Any registered owner-lessor who fails or refuses to provide such information within the period required by this subsection shall be liable for the imposition of any fine established by municipal ordinance for the violation. Provided, however, if a leased motor vehicle is illegally parked due to a defect in such vehicle, which renders it inoperable, not caused by the fault or neglect of the lessee, then the lessor shall be liable on any violation for illegal parking of such vehicle.

5. No ordinance shall deny the use of commercial motor vehicles on all routes within the municipality. For purposes of this section, the term "route" shall mean any state road, county road, or public street, avenue, boulevard, or parkway.

6. No ordinance shall prohibit the operator of a motor vehicle from being in an intersection while a red signal is being displayed if the operator of the motor vehicle entered the intersection during a yellow signal interval. The provisions of this subsection shall supercede any local laws, ordinances, orders, rules, or regulations enacted by a county, municipality, or other political subdivision that are to the contrary.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 283, Page 1, Section 67.1364, Line 17, by

inserting immediately after all of said section and line the following:

“68.075. 1. This section shall be known and may be cited as the “Advanced Industrial Manufacturing Zones Act”.

2. As used in this section, the following terms shall mean:

(1) “AIM zone”, an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) “**County average wage**”, the average wages in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(3) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee’s work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the [state] **county** average wage.

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority’s jurisdiction, **ownership, or control**, and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority’s jurisdiction **or under the port authority’s ownership or control, and may be expanded or contracted by resolution of the port authority board of commissioners.**

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within such zone after development or redevelopment has commenced shall not be remitted to the general **revenue** fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the “Port Authority AIM Zone Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by inserting the following after all of said line:

“67.1185. 1. The governing body of any county with a population of at least eighteen thousand inhabitants which adjoins both a county of the first classification with a population of less than one hundred thousand inhabitants and at least four counties of the third classification may impose, by ordinance or order, a surcharge on the sale of each ticket or other charge allowing admission to or participation in any private tourist attraction and on the daily rental of rooms or accommodations paid by transient guests of hotels, motels or campgrounds, as defined in section 94.802, in such county, at a rate [not to exceed twenty-five cents] **of up to ten percent** per ticket or other such charge. For purposes of sections 67.1185 to 67.1189, “private tourist attraction” means any commercial entity which appeals to the recreational desires and tastes of the traveling public through the presentation of services or devices designed to entertain or educate visitors, including but not limited to:

- (1) Amusement parks, carnivals, circuses, fairs and water parks;
- (2) Aerial tramways;
- (3) Commercial animal, reptile, and zoological exhibits;
- (4) Commercial beaches and hot springs;
- (5) Go-carts/miniature golf establishments;
- (6) Horse shows and rodeos and rides on horses or other animals;
- (7) Rides on airplanes, helicopters, balloons, gliders, parachutes and bungee jumps;
- (8) Automobile, bicycle, dog, horse, and other racing events;
- (9) Music shows and pageants, movie theaters, and live theaters; and
- (10) Canoe rentals.

2. Attractions operating on an occasional or intermittent basis for fund-raising purposes by nonprofit charitable organizations whose ordinary activities do not involve the operation of such attractions shall be exempt from the surcharge imposed by sections 67.1185 to 67.1189.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 283, Page 2, Section 137.565, Line 13, by

inserting immediately after said line the following:

“162.492. 1. In all urban districts containing the greater part of the population of a city which has more than three hundred thousand inhabitants, the election authority of the city in which the greater portion of the school district lies, and of the county if the district includes territory not within the city limits, shall serve ex officio as a redistricting commission. The commission shall on or before November 1, 2018, divide the school district into five subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions as soon as practicable after each United States decennial census. In establishing the subdistricts each member shall have one vote and a majority vote of the total membership of the commission is required to make effective any action of the commission.

2. School elections for the election of directors shall be held on municipal election days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until 2019 and until their successors are elected and qualified. At the election in 2016, directors shall be elected until 2019 and until their successors are elected and qualified. Beginning in 2019, school elections for the election of directors shall be held on the local election date as specified in the charter of a home rule city with more than four hundred thousand inhabitants and located in more than one county. Beginning at the election for school directors in 2019, the number of directors on the board shall be reduced from nine to seven. Two directors shall be at-large directors and five directors shall represent the subdistricts, with one director from each of the subdistricts. [Directors shall serve a four-year term] **At the 2019 election, one of the at-large directors and the directors from subdistricts one, three, and five shall be elected for a two-year term, and the other at-large director and the directors from subdistricts two and four shall be elected for a four-year term. Thereafter, all seven directors shall serve a four-year term.** Directors shall serve until the next election and until their successors, then elected, are duly qualified as provided in this section. In addition to other qualifications prescribed by law, each member elected from a subdistrict shall be a resident of the subdistrict from which he or she is elected. The subdistricts shall be numbered from one to five. [Each voter may vote for two candidates for at-large director and the two receiving the largest number of votes cast shall be elected.]

3. The five candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the at-large votes shall be elected. The name of no candidate for nomination shall be printed on the ballot unless the candidate has at least sixty days prior to the election filed a declaration of candidacy with the secretary of the board of directors containing the signatures of at least two hundred fifty registered voters who are residents of the subdistrict within which the candidate for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of at least five hundred registered voters. The election authority shall determine the validity of all signatures on declarations of candidacy.

4. In any election either for at-large candidates or candidates elected by the voters of subdistricts, if there are more than two candidates, a majority of the votes are not required to elect but the candidate having a plurality of the votes [if there is only one office to be filled and the candidates having the highest number of votes, if more than one office is to be filled,] shall be elected.

5. The names of all candidates shall appear upon the ballot without party designation and in the order of the priority of the times of filing their petitions of nomination. No candidate may file both at large and from a subdistrict and the names of all candidates shall appear only once on the ballot, nor may any

candidate file more than one declaration of candidacy. All declarations shall designate the candidate's residence and whether the candidate is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large area.

6. The provisions of all sections relating to seven-director school districts shall also apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to the extent applicable and not in conflict with the provisions of those sections specifically relating to such urban districts.

7. Vacancies which occur on the school board between the dates of election shall be filled by special election if such vacancy happens more than six months prior to the time of holding an election as provided in subsection 2 of this section. The state board of education shall order a special election to fill such a vacancy. A letter from the commissioner of education, delivered by certified mail to the election authority or authorities that would normally conduct an election for school board members shall be the authority for the election authority or authorities to proceed with election procedures. If a vacancy occurs less than six months prior to the time of holding an election as provided in subsection 2 of this section, no special election shall occur and the vacancy shall be filled at the next election day on which local elections are held as specified in the charter of any home rule city with more than four hundred thousand inhabitants and located in more than one county.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 6

Amend House Amendment No. 6 to House Committee Substitute for Senate Bill No. 283, Page 1, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

“Amend House Committee Substitute for Senate Bill No. 283, Page 2, Section 137.565, Line 13, by inserting after all of said section and line the following:

“211.021. [1.] As used in this chapter, unless the context clearly requires otherwise:

(1) “Adult” means a person [seventeen] **eighteen** years of age or older [except for seventeen-year-old children as defined in this section];

(2) “Child” means any person under [seventeen] **eighteen** years of age [and shall mean, in addition, any person over seventeen but not yet eighteen years of age alleged to have committed a status offense];

(3) “Juvenile court” means the juvenile division or divisions of the circuit court of the county, or judges while hearing juvenile cases assigned to them;

(4) “Legal custody” means the right to the care, custody and control of a child and the duty to provide food, clothing, shelter, ordinary medical care, education, treatment and discipline of a child. Legal custody may be taken from a parent only by court action and if the legal custody is taken from a parent without termination of parental rights, the parent’s duty to provide support continues even though the person having legal custody may provide the necessities of daily living;

(5) “Parent” means either a natural parent or a parent by adoption and if the child is illegitimate, “parent” means the mother;

(6) “Shelter care” means the temporary care of juveniles in physically unrestricting facilities pending final court disposition. These facilities may include:

(a) “Foster home”, the private home of foster parents providing twenty-four-hour care to one to three children unrelated to the foster parents by blood, marriage or adoption;

(b) “Group foster home”, the private home of foster parents providing twenty-four-hour care to no more than six children unrelated to the foster parents by blood, marriage or adoption;

(c) “Group home”, a child care facility which approximates a family setting, provides access to community activities and resources, and provides care to no more than twelve children;

(7) “Status offense”, any offense as described in subdivision (2) of subsection 1 of section 211.031.

[2. The amendments to subsection 1 of this section, as provided for in this act, shall not take effect until such time as appropriations by the general assembly for additional juvenile officer full-time equivalents and deputy juvenile officer full-time equivalents shall exceed by one million nine hundred thousand dollars the amount spent by the state for such officers in fiscal year 2007 and appropriations by the general assembly to single first class counties for juvenile court personnel costs shall exceed by one million nine hundred thousand dollars the amount spent by the state for such juvenile court personnel costs in fiscal year 2007 and notice of such appropriations has been given to the revisor of statutes].

211.031. 1. Except as otherwise provided in this chapter, the juvenile court or the family court in circuits that have a family court as provided in sections 487.010 to 487.190 shall have exclusive original jurisdiction in proceedings:

(1) Involving any child [or person seventeen years of age] who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The parents, or other persons legally responsible for the care and support of the child [or person seventeen years of age], neglect or refuse to provide proper support, education which is required by law, medical, surgical or other care necessary for his or her well-being; except that reliance by a parent, guardian or custodian upon remedial treatment other than medical or surgical treatment for a child [or person seventeen years of age] shall not be construed as neglect when the treatment is recognized or permitted pursuant to the laws of this state;

(b) The child [or person seventeen years of age] is otherwise without proper care, custody or support; or

(c) The child [or person seventeen years of age] was living in a room, building or other structure at the time such dwelling was found by a court of competent jurisdiction to be a public nuisance pursuant to section 195.130;

(d) The child [or person seventeen years of age is a child] **is** in need of mental health services and the parent, guardian or custodian is unable to afford or access appropriate mental health treatment or care for the child;

(2) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because:

(a) The child while subject to compulsory school attendance is repeatedly and without justification absent from school; or

(b) The child disobeys the reasonable and lawful directions of his or her parents or other custodian and is beyond their control; or

(c) The child is habitually absent from his or her home without sufficient cause, permission, or justification; or

(d) The behavior or associations of the child are otherwise injurious to his or her welfare or to the welfare of others; or

(e) The child is charged with an offense not classified as criminal, or with an offense applicable only to children; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, or any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(3) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of [seventeen] **eighteen** years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred; except that, the juvenile court shall not have jurisdiction over any child fifteen years of age who is alleged to have violated a state or municipal traffic ordinance or regulation, the violation of which does not constitute a felony, and except that the juvenile court shall have concurrent jurisdiction with the municipal court over any child who is alleged to have violated a municipal curfew ordinance, and except that the juvenile court shall have concurrent jurisdiction with the circuit court on any child who is alleged to have violated a state or municipal ordinance or regulation prohibiting possession or use of any tobacco product;

(4) For the adoption of a person;

(5) For the commitment of a child [or person seventeen years of age] to the guardianship of the department of social services as provided by law; and

(6) Involving an order of protection pursuant to chapter 455 when the respondent is less than [seventeen] **eighteen** years of age.

2. Transfer of a matter, proceeding, jurisdiction or supervision for a child [or person seventeen years of age] who resides in a county of this state shall be made as follows:

(1) Prior to the filing of a petition and upon request of any party or at the discretion of the juvenile officer, the matter in the interest of a child [or person seventeen years of age] may be transferred by the juvenile officer, with the prior consent of the juvenile officer of the receiving court, to the county of the child's residence or the residence of the person [seventeen] **eighteen** years of age for future action;

(2) Upon the motion of any party or on its own motion prior to final disposition on the pending matter, the court in which a proceeding is commenced may transfer the proceeding of a child [or person seventeen years of age] to the court located in the county of the child's residence [or the residence of the person seventeen years of age], or the county in which the offense pursuant to subdivision (3) of subsection 1 of this section is alleged to have occurred for further action;

(3) Upon motion of any party or on its own motion, the court in which jurisdiction has been taken pursuant to subsection 1 of this section may at any time thereafter transfer jurisdiction of a child [or person seventeen years of age] to the court located in the county of the child's residence [or the residence of the person seventeen years of age] for further action with the prior consent of the receiving court;

(4) Upon motion of any party or upon its own motion at any time following a judgment of disposition

or treatment pursuant to section 211.181, the court having jurisdiction of the cause may place the child [or person seventeen years of age] under the supervision of another juvenile court within or without the state pursuant to section 210.570 with the consent of the receiving court;

(5) Upon motion of any child [or person seventeen years of age] or his or her parent, the court having jurisdiction shall grant one change of judge pursuant to Missouri supreme court rules;

(6) Upon the transfer of any matter, proceeding, jurisdiction or supervision of a child [or person seventeen years of age], certified copies of all legal and social documents and records pertaining to the case on file with the clerk of the transferring juvenile court shall accompany the transfer.

3. In any proceeding involving any child [or person seventeen years of age] taken into custody in a county other than the county of the child's residence [or the residence of a person seventeen years of age], the juvenile court of the county of the child's residence [or the residence of a person seventeen years of age] shall be notified of such taking into custody within seventy-two hours.

4. When an investigation by a juvenile officer pursuant to this section reveals that the only basis for action involves an alleged violation of section 167.031 involving a child who alleges to be home schooled, the juvenile officer shall contact a parent or parents of such child to verify that the child is being home schooled and not in violation of section 167.031 before making a report of such a violation. Any report of a violation of section 167.031 made by a juvenile officer regarding a child who is being home schooled shall be made to the prosecuting attorney of the county where the child legally resides.

5. The disability or disease of a parent shall not constitute a basis for a determination that a child is a child in need of care or for the removal of custody of a child from the parent without a specific showing that there is a causal relation between the disability or disease and harm to the child.

211.032. 1. Except as otherwise provided in a circuit participating in a pilot project established by the Missouri supreme court, when a child [or person seventeen years of age], alleged to be in need of care and treatment pursuant to subdivision (1) of subsection 1 of section 211.031, is taken into custody, the juvenile or family court shall notify the parties of the right to have a protective custody hearing. Such notification shall be in writing.

2. Upon request from any party, the court shall hold a protective custody hearing. Such hearing shall be held within three days of the request for a hearing, excluding Saturdays, Sundays and legal holidays. For circuits participating in a pilot project established by the Missouri supreme court, the parties shall be notified at the status conference of their right to request a protective custody hearing.

3. No later than February 1, 2005, the Missouri supreme court shall require a mandatory court proceeding to be held within three days, excluding Saturdays, Sundays, and legal holidays, in all cases under subdivision (1) of subsection 1 of section 211.031. The Missouri supreme court shall promulgate rules for the implementation of such mandatory court proceedings and may consider recommendations from any pilot projects established by the Missouri supreme court regarding such proceedings. Nothing in this subsection shall prevent the Missouri supreme court from expanding pilot projects prior to the implementation of this subsection.

4. The court shall hold an adjudication hearing no later than sixty days after the child has been taken into custody. The court shall notify the parties in writing of the specific date, time, and place of such hearing. If at such hearing the court determines that sufficient cause exists for the child to remain in the custody of the state, the court shall conduct a dispositional hearing no later than ninety days after the child

has been taken into custody and shall conduct review hearings regarding the reunification efforts made by the division every ninety to one hundred twenty days for the first year the child is in the custody of the division. After the first year, review hearings shall be held as necessary, but in no event less than once every six months for as long as the child is in the custody of the division.

5. At all hearings held pursuant to this section the court may receive testimony and other evidence relevant to the necessity of detaining the child out of the custody of the parents, guardian or custodian.

6. By January 1, 2005, the supreme court shall develop rules regarding the effect of untimely hearings.

7. If the placement of any child in the custody of the children's division will result in the child attending a school other than the school the child was attending when taken into custody:

(1) The child's records from such school shall automatically be forwarded to the school that the child is transferring to upon notification within two business days by the division; or

(2) Upon request of the foster family, the guardian ad litem, or the volunteer advocate and whenever possible, the child shall be permitted to continue to attend the same school that the child was enrolled in and attending at the time the child was taken into custody by the division. The division, in consultation with the department of elementary and secondary education, shall establish the necessary procedures to implement the provisions of this subsection.

211.033. 1. No person under the age of [seventeen] **eighteen** years, except those transferred to the court of general jurisdiction under the provisions of section 211.071 shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of [seventeen] **eighteen** to a juvenile detention facility.

2. Nothing in this section shall be construed as creating any civil or criminal liability for any law enforcement officer, juvenile officer, school personnel, or court personnel for any action taken or failure to take any action involving a minor child who remains under the jurisdiction of the juvenile court under this section if such action or failure to take action is based on a good faith belief by such officer or personnel that the minor child is not under the jurisdiction of the juvenile court.

[3. The amendments to subsection 2 of this section, as provided for in this act, shall not take effect until such time as the provisions of section 211.021 shall take effect in accordance with subsection 2 of section 211.021.]

211.041. When jurisdiction over the person of a child has been acquired by the juvenile court under the provisions of this chapter in proceedings coming within the applicable provisions of section 211.031, the jurisdiction of the child may be retained for the purpose of this chapter until he or she has attained the age of twenty-one years, except in cases where he or she is committed to and received by the division of youth services, unless jurisdiction has been returned to the committing court by provisions of chapter 219 through requests of the court to the division of youth services and except in any case where he or she has not paid an assessment imposed in accordance with section 211.181 or in cases where the judgment for restitution entered in accordance with section 211.185 has not been satisfied. Every child over whose person the juvenile court retains jurisdiction shall be prosecuted under the general law for any violation of a state law or of a municipal ordinance which he or she commits after he or she becomes [seventeen] **eighteen** years of age. The juvenile court shall have no jurisdiction with respect to any such violation and, so long as it retains jurisdiction of the child, shall not exercise its jurisdiction in such a manner as to conflict with any

other court's jurisdiction as to any such violation.

211.061. 1. When a child is taken into custody with or without warrant for an offense, the child, together with any information concerning the child and the personal property found in the child's possession, shall be taken immediately and directly before the juvenile court or delivered to the juvenile officer or person acting for [him] **the child**.

2. If any person is taken before a circuit or associate circuit judge not assigned to juvenile court or a municipal judge, and it is then, or at any time thereafter, ascertained that he or she was under the age of [seventeen] **eighteen** years at the time he or she is alleged to have committed the offense, or that he or she is subject to the jurisdiction of the juvenile court as provided by this chapter, it is the duty of the judge forthwith to transfer the case or refer the matter to the juvenile court, and direct the delivery of such person, together with information concerning him or her and the personal property found in his or her possession, to the juvenile officer or person acting as such.

3. When the juvenile court is informed that a child is in detention it shall examine the reasons therefor and shall immediately:

(1) Order the child released; or

(2) Order the child continued in detention until a detention hearing is held. An order to continue the child in detention shall only be entered upon the filing of a petition or motion to modify and a determination by the court that probable cause exists to believe that the child has committed acts specified in the petition or motion that bring the child within the jurisdiction of the court under subdivision (2) or (3) of subsection 1 of section 211.031.

4. A juvenile shall not remain in detention for a period greater than twenty-four hours unless the court orders a detention hearing. If such hearing is not held within three days, excluding Saturdays, Sundays and legal holidays, the juvenile shall be released from detention unless the court for good cause orders the hearing continued. The detention hearing shall be held within the judicial circuit at a date, time and place convenient to the court. Notice of the date, time and place of a detention hearing, and of the right to counsel, shall be given to the juvenile and his or her custodian in person, by telephone, or by such other expeditious method as is available.

211.071. 1. If a petition alleges that a child between the ages of twelve and [seventeen] **eighteen** has committed an offense which would be considered a felony if committed by an adult, the court may, upon its own motion or upon motion by the juvenile officer, the child or the child's custodian, order a hearing and may, in its discretion, dismiss the petition and such child may be transferred to the court of general jurisdiction and prosecuted under the general law; except that if a petition alleges that any child has committed an offense which would be considered first degree murder under section 565.020, second degree murder under section 565.021, first degree assault under section 565.050, forcible rape under section 566.030 as it existed prior to August 28, 2013, rape in the first degree under section 566.030, forcible sodomy under section 566.060 as it existed prior to August 28, 2013, sodomy in the first degree under section 566.060, first degree robbery under section 569.020 **as it existed prior to January 1, 2017, or first degree robbery under section 570.023**, [or] distribution of drugs under section 195.211 **as it existed prior to January 1, 2017, or the manufacturing of a controlled substance under section 579.055**, or has committed two or more prior unrelated offenses which would be felonies if committed by an adult, the court shall order a hearing, and may in its discretion, dismiss the petition and transfer the child to a court of general jurisdiction for prosecution under the general law.

2. Upon apprehension and arrest, jurisdiction over the criminal offense allegedly committed by any person between [seventeen] **eighteen** and twenty-one years of age over whom the juvenile court has retained continuing jurisdiction shall automatically terminate and that offense shall be dealt with in the court of general jurisdiction as provided in section 211.041.

3. Knowing and willful age misrepresentation by a juvenile subject shall not affect any action or proceeding which occurs based upon the misrepresentation. Any evidence obtained during the period of time in which a child misrepresents his or her age may be used against the child and will be subject only to rules of evidence applicable in adult proceedings.

4. Written notification of a transfer hearing shall be given to the juvenile and his or her custodian in the same manner as provided in sections 211.101 and 211.111. Notice of the hearing may be waived by the custodian. Notice shall contain a statement that the purpose of the hearing is to determine whether the child is a proper subject to be dealt with under the provisions of this chapter, and that if the court finds that the child is not a proper subject to be dealt with under the provisions of this chapter, the petition will be dismissed to allow for prosecution of the child under the general law.

5. The juvenile officer may consult with the office of prosecuting attorney concerning any offense for which the child could be certified as an adult under this section. The prosecuting or circuit attorney shall have access to police reports, reports of the juvenile or deputy juvenile officer, statements of witnesses and all other records or reports relating to the offense alleged to have been committed by the child. The prosecuting or circuit attorney shall have access to the disposition records of the child when the child has been adjudicated pursuant to subdivision (3) of subsection 1 of section 211.031. The prosecuting attorney shall not divulge any information regarding the child and the offense until the juvenile court at a judicial hearing has determined that the child is not a proper subject to be dealt with under the provisions of this chapter.

6. A written report shall be prepared in accordance with this chapter developing fully all available information relevant to the criteria which shall be considered by the court in determining whether the child is a proper subject to be dealt with under the provisions of this chapter and whether there are reasonable prospects of rehabilitation within the juvenile justice system. These criteria shall include but not be limited to:

(1) The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction;

(2) Whether the offense alleged involved viciousness, force and violence;

(3) Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted;

(4) Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code;

(5) The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements;

(6) The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living;

(7) The age of the child;

(8) The program and facilities available to the juvenile court in considering disposition;

(9) Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court; and

(10) Racial disparity in certification.

7. If the court dismisses the petition to permit the child to be prosecuted under the general law, the court shall enter a dismissal order containing:

(1) Findings showing that the court had jurisdiction of the cause and of the parties;

(2) Findings showing that the child was represented by counsel;

(3) Findings showing that the hearing was held in the presence of the child and his counsel; and

(4) Findings showing the reasons underlying the court's decision to transfer jurisdiction.

8. A copy of the petition and order of the dismissal shall be sent to the prosecuting attorney.

9. When a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the prosecution of the child results in a conviction, the jurisdiction of the juvenile court over that child is forever terminated, except as provided in subsection 10 of this section, for an act that would be a violation of a state law or municipal ordinance.

10. If a petition has been dismissed thereby permitting a child to be prosecuted under the general law and the child is found not guilty by a court of general jurisdiction, the juvenile court shall have jurisdiction over any later offense committed by that child which would be considered a misdemeanor or felony if committed by an adult, subject to the certification provisions of this section.

11. If the court does not dismiss the petition to permit the child to be prosecuted under the general law, it shall set a date for the hearing upon the petition as provided in section 211.171.

211.073. 1. The court shall, in a case when the offender is under [seventeen] **eighteen** years [and six months] of age and has been transferred to a court of general jurisdiction pursuant to section 211.071, and whose prosecution results in a conviction or a plea of guilty, consider dual jurisdiction of both the criminal and juvenile codes, as set forth in this section. The court is authorized to impose a juvenile disposition under this chapter and simultaneously impose an adult criminal sentence, the execution of which shall be suspended pursuant to the provisions of this section. Successful completion of the juvenile disposition ordered shall be a condition of the suspended adult criminal sentence. The court may order an offender into the custody of the division of youth services pursuant to this section:

(1) Upon agreement of the division of youth services; and

(2) If the division of youth services determines that there is space available in a facility designed to serve offenders sentenced under this section. If the division of youth services agrees to accept a youth and the court does not impose a juvenile disposition, the court shall make findings on the record as to why the division of youth services was not appropriate for the offender prior to imposing the adult criminal sentence.

2. If there is probable cause to believe that the offender has violated a condition of the suspended sentence or committed a new offense, the court shall conduct a hearing on the violation charged, unless the offender waives such hearing. If the violation is established and found the court may continue or revoke the juvenile disposition, impose the adult criminal sentence, or enter such other order as it may see fit.

3. When an offender has received a suspended sentence pursuant to this section and the division determines the child is beyond the scope of its treatment programs, the division of youth services may petition the court for a transfer of custody of the offender. The court shall hold a hearing and shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

4. When an offender who has received a suspended sentence reaches the age of [seventeen] **eighteen**, the court shall hold a hearing. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections;

(2) Direct that the offender be placed on probation; or

(3) Direct that the offender remain in the custody of the division of youth services if the division agrees to such placement.

5. The division of youth services shall petition the court for a hearing before it releases an offender who comes within subsection 1 of this section at any time before the offender reaches the age of twenty-one years. The court shall:

(1) Revoke the suspension and direct that the offender be taken into immediate custody of the department of corrections; or

(2) Direct that the offender be placed on probation.

6. If the suspension of the adult criminal sentence is revoked, all time served by the offender under the juvenile disposition shall be credited toward the adult criminal sentence imposed.

211.081. 1. Whenever any person informs the court in person and in writing that a child appears to be within the purview of applicable provisions of section 211.031 [or that a person seventeen years of age appears to be within the purview of the provisions of subdivision (1) of subsection 1 of section 211.031], the court shall make or cause to be made a preliminary inquiry to determine the facts and to determine whether or not the interests of the public or of the child [or person seventeen years of age] require that further action be taken. On the basis of this inquiry, the juvenile court may make such informal adjustment as is practicable without a petition or may authorize the filing of a petition by the juvenile officer. Any other provision of this chapter to the contrary notwithstanding, the juvenile court shall not make any order for disposition of a child [or person seventeen years of age] which would place or commit the child [or person seventeen years of age] to any location outside the state of Missouri without first receiving the approval of the children's division.

2. Placement in any institutional setting shall represent the least restrictive appropriate placement for the child [or person seventeen years of age] and shall be recommended based upon a psychological or psychiatric evaluation or both. Prior to entering any order for disposition of a child [or person seventeen years of age] which would order residential treatment or other services inside the state of Missouri, the juvenile court shall enter findings which include the recommendation of the psychological or psychiatric evaluation or both; and certification from the division director or designee as to whether a provider or funds or both are available, including a projection of their future availability. If the children's division indicates that funding is not available, the division shall recommend and make available for placement by the court

an alternative placement for the child [or person seventeen years of age]. The division shall have the burden of demonstrating that they have exercised due diligence in utilizing all available services to carry out the recommendation of the evaluation team and serve the best interest of the child [or person seventeen years of age]. The judge shall not order placement or an alternative placement with a specific provider but may reasonably designate the scope and type of the services which shall be provided by the department to the child [or person seventeen years of age].

3. Obligations of the state incurred under the provisions of section 211.181 shall not exceed, in any fiscal year, the amount appropriated for this purpose.

211.091. 1. The petition shall be entitled “In the interest of, a child under [seventeen] **eighteen** years of age” [or “In the interest of, a child seventeen years of age” or “In the interest of, a person seventeen years of age” as appropriate to the subsection of section 211.031 that provides the basis for the filing of the petition].

2. The petition shall set forth plainly:

(1) The facts which bring the child [or person seventeen years of age] within the jurisdiction of the court;

(2) The full name, birth date, and residence of the child [or person seventeen years of age];

(3) The names and residence of his or her parents, if living;

(4) The name and residence of his or her legal guardian if there be one, of the person having custody of the child [or person seventeen years of age] or of the nearest known relative if no parent or guardian can be found; and

(5) Any other pertinent data or information.

3. If any facts required in subsection 2 of this section are not known by the petitioner, the petition shall so state.

4. Prior to the voluntary dismissal of a petition filed under this section, the juvenile officer shall assess the impact of such dismissal on the best interests of the child, and shall take all actions practicable to minimize any negative impact.

211.101. 1. After a petition has been filed, unless the parties appear voluntarily, the juvenile court shall issue a summons in the name of the state of Missouri requiring the person who has custody of the child [or person seventeen years of age] to appear personally and, unless the court orders otherwise, to bring the child [or person seventeen years of age] before the court, at the time and place stated.

2. If the person so summoned is other than a parent or guardian of the child [or person seventeen years of age], then the parent or guardian or both shall also be notified of the pendency of the case and of the time and place appointed.

3. If it appears that the child [or person seventeen years of age] is in such condition or surroundings that his or her welfare requires that his or her custody be immediately assumed by the court, the judge may order, by endorsement upon the summons, the officer serving it to take the child [or person seventeen years of age] into custody at once.

4. Subpoena may be issued requiring the appearance of any other person whose presence, in the opinion of the judge, is necessary.

211.161. 1. The court may cause any child [or person seventeen years of age] within its jurisdiction to be examined by a physician, psychiatrist or psychologist appointed by the court in order that the condition of the child [or person seventeen years of age] may be given consideration in the disposition of his case. The expenses of the examination when approved by the court shall be paid by the county, except that the county shall not be liable for the costs of examinations conducted by the department of mental health either directly or through contract.

2. The services of a state, county or municipally maintained hospital, institution, or psychiatric or health clinic may be used for the purpose of this examination and treatment.

3. A county may establish medical, psychiatric and other facilities, upon request of the juvenile court, to provide proper services for the court in the diagnosis and treatment of children [or persons seventeen years of age] coming before it and these facilities shall be under the administration and control of the juvenile court. The juvenile court may appoint and fix the compensation of such professional and other personnel as it deems necessary to provide the court proper diagnostic, clinical and treatment services for children [or persons seventeen years of age] under its jurisdiction.

211.181. 1. When a child [or person seventeen years of age] is found by the court to come within the applicable provisions of subdivision (1) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child [or person seventeen years of age], and the court may, by order duly entered, proceed as follows:

(1) Place the child [or person seventeen years of age] under supervision in his own home or in the custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child [or person seventeen years of age] to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes; except that, such child [or person seventeen years of age] may not be committed to the department of social services, division of youth services;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive the child [or person seventeen years of age] in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child [or person seventeen years of age] in a family home;

(4) Cause the child [or person seventeen years of age] to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child [or person seventeen years of age] requires it, cause the child [or person seventeen years of age] to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child [or person seventeen years of age] whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) The court may order, pursuant to subsection 2 of section 211.081, that the child receive the necessary services in the least restrictive appropriate environment including home and community-based services, treatment and support, based on a coordinated, individualized treatment plan. The individualized treatment plan shall be approved by the court and developed by the applicable state agencies responsible for providing or paying for any and all appropriate and necessary services, subject to appropriation, and shall include which agencies are going to pay for and provide such services. Such plan must be submitted to the court within thirty days and the child's family shall actively participate in designing the service plan for the child [or person seventeen years of age];

(6) The department of social services, in conjunction with the department of mental health, shall apply to the United States Department of Health and Human Services for such federal waivers as required to provide services for such children, including the acquisition of community-based services waivers.

2. When a child is found by the court to come within the provisions of subdivision (2) of subsection 1 of section 211.031, the court shall so decree and upon making a finding of fact upon which it exercises its jurisdiction over the child, the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his **or her** own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or place them in family homes; except that, a child may be committed to the department of social services, division of youth services, only if he **or she** is presently under the court's supervision after an adjudication under the provisions of subdivision (2) or (3) of subsection 1 of section 211.031;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Place the child in a family home;

(4) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(5) Assess an amount of up to ten dollars to be paid by the child to the clerk of the court.

Execution of any order entered by the court pursuant to this subsection, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed.

3. When a child is found by the court to come within the provisions of subdivision (3) of subsection 1 of section 211.031, the court shall so decree and make a finding of fact upon which it exercises its jurisdiction over the child, and the court may, by order duly entered, proceed as follows:

(1) Place the child under supervision in his or her own home or in custody of a relative or other suitable person after the court or a public agency or institution designated by the court conducts an investigation of the home, relative or person and finds such home, relative or person to be suitable and upon such conditions as the court may require; provided that, no child who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566, RSMo, including but not limited to rape, forcible sodomy, child molestation, and sexual abuse, and in which the victim was a child, shall be placed in any residence within one thousand feet of the residence of the abused child of that offense until the abused child reaches the age of eighteen, and provided further that the provisions of this subdivision regarding placement within one thousand feet of the abused child shall not apply when the abusing child and the abused child are siblings or children living in the same home;

(2) Commit the child to the custody of:

(a) A public agency or institution authorized by law to care for children or to place them in family homes;

(b) Any other institution or agency which is authorized or licensed by law to care for children or to place them in family homes;

(c) An association, school or institution willing to receive it in another state if the approval of the agency in that state which administers the laws relating to importation of children into the state has been secured; or

(d) The juvenile officer;

(3) Beginning January 1, 1996, the court may make further directions as to placement with the division of youth services concerning the child's length of stay. The length of stay order may set forth a minimum review date;

(4) Place the child in a family home;

(5) Cause the child to be examined and treated by a physician, psychiatrist or psychologist and when the health or condition of the child requires it, cause the child to be placed in a public or private hospital, clinic or institution for treatment and care; except that, nothing contained herein authorizes any form of compulsory medical, surgical, or psychiatric treatment of a child whose parents or guardian in good faith are providing other remedial treatment recognized or permitted under the laws of this state;

(6) Suspend or revoke a state or local license or authority of a child to operate a motor vehicle;

(7) Order the child to make restitution or reparation for the damage or loss caused by his **or her** offense. In determining the amount or extent of the damage, the court may order the juvenile officer to prepare a report and may receive other evidence necessary for such determination. The child and his **or her** attorney shall have access to any reports which may be prepared, and shall have the right to present evidence at any hearing held to ascertain the amount of damages. Any restitution or reparation ordered shall be reasonable in view of the child's ability to make payment or to perform the reparation. The court may require the clerk of the circuit court to act as receiving and disbursing agent for any payment ordered;

(8) Order the child to a term of community service under the supervision of the court or of an organization selected by the court. Every person, organization, and agency, and each employee thereof, charged with the supervision of a child under this subdivision, or who benefits from any services performed as a result of an order issued under this subdivision, shall be immune from any suit by the child ordered to perform services under this subdivision, or any person deriving a cause of action from such child, if such cause of action arises from the supervision of the child's performance of services under this subdivision and if such cause of action does not arise from an intentional tort. A child ordered to perform services under this subdivision shall not be deemed an employee within the meaning of the provisions of chapter 287, RSMo, nor shall the services of such child be deemed employment within the meaning of the provisions of chapter 288, RSMo. Execution of any order entered by the court, including a commitment to any state agency, may be suspended and the child placed on probation subject to such conditions as the court deems reasonable. After a hearing, probation may be revoked and the suspended order executed;

(9) When a child has been adjudicated to have violated a municipal ordinance or to have committed an act that would be a misdemeanor if committed by an adult, assess an amount of up to twenty-five dollars to be paid by the child to the clerk of the court; when a child has been adjudicated to have committed an act that would be a felony if committed by an adult, assess an amount of up to fifty dollars to be paid by the child to the clerk of the court.

4. Beginning January 1, 1996, the court may set forth in the order of commitment the minimum period during which the child shall remain in the custody of the division of youth services. No court order shall require a child to remain in the custody of the division of youth services for a period which exceeds the child's eighteenth birth date except upon petition filed by the division of youth services pursuant to subsection 1 of section 219.021, RSMo. In any order of commitment of a child to the custody of the division of youth services, the division shall determine the appropriate program or placement pursuant to subsection 3 of section 219.021, RSMo. Beginning January 1, 1996, the department shall not discharge a child from the custody of the division of youth services before the child completes the length of stay determined by the court in the commitment order unless the committing court orders otherwise. The director of the division of youth services may at any time petition the court for a review of a child's length of stay commitment order, and the court may, upon a showing of good cause, order the early discharge of the child from the custody of the division of youth services. The division may discharge the child from the division of youth services without a further court order after the child completes the length of stay determined by the court or may retain the child for any period after the completion of the length of stay in accordance with the law.

5. When an assessment has been imposed under the provisions of subsection 2 or 3 of this section, the assessment shall be paid to the clerk of the court in the circuit where the assessment is imposed by court order, to be deposited in a fund established for the sole purpose of payment of judgments entered against children in accordance with section 211.185.

211.321. 1. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall not be open to inspection or their contents disclosed, except by order of the court to persons having a legitimate interest therein, unless a petition or motion to modify is sustained which charges the child with an offense which, if committed by an adult, would be a class A felony under the criminal code of Missouri, or capital murder, first degree murder, or second degree murder or except as provided in subsection 2 of this section. In addition, whenever a report is required under section 557.026, there shall also be included a complete list of certain violations of the juvenile code for which the defendant had been adjudicated a delinquent while a juvenile. This list shall be

made available to the probation officer and shall be included in the presentence report. The violations to be included in the report are limited to the following: rape, sodomy, murder, kidnapping, robbery, arson, burglary or any acts involving the rendering or threat of serious bodily harm. The supreme court may promulgate rules to be followed by the juvenile courts in separating the records.

2. In all proceedings under subdivision (2) of subsection 1 of section 211.031, the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and shall be open to inspection only by order of the judge of the juvenile court or as otherwise provided by statute. In all proceedings under subdivision (3) of subsection 1 of section 211.031 the records of the juvenile court as well as all information obtained and social records prepared in the discharge of official duty for the court shall be kept confidential and may be open to inspection without court order only as follows:

(1) The juvenile officer is authorized at any time:

(a) To provide information to or discuss matters concerning the child, the violation of law or the case with the victim, witnesses, officials at the child's school, law enforcement officials, prosecuting attorneys, any person or agency having or proposed to have legal or actual care, custody or control of the child, or any person or agency providing or proposed to provide treatment of the child. Information received pursuant to this paragraph shall not be released to the general public, but shall be released only to the persons or agencies listed in this paragraph;

(b) To make public information concerning the offense, the substance of the petition, the status of proceedings in the juvenile court and any other information which does not specifically identify the child or the child's family;

(2) After a child has been adjudicated delinquent pursuant to subdivision (3) of subsection 1 of section 211.031, for an offense which would be a felony if committed by an adult, the records of the dispositional hearing and proceedings related thereto shall be open to the public to the same extent that records of criminal proceedings are open to the public. However, the social summaries, investigations or updates in the nature of presentence investigations, and status reports submitted to the court by any treating agency or individual after the dispositional order is entered shall be kept confidential and shall be opened to inspection only by order of the judge of the juvenile court;

(3) As otherwise provided by statute;

(4) In all other instances, only by order of the judge of the juvenile court.

3. Peace officers' records, if any are kept, of children shall be kept separate from the records of persons [seventeen] **eighteen** years of age or over and shall not be open to inspection or their contents disclosed, except by order of the court. This subsection does not apply to children who are transferred to courts of general jurisdiction as provided by section 211.071 or to juveniles convicted under the provisions of sections 578.421 to 578.437. This subsection does not apply to the inspection or disclosure of the contents of the records of peace officers for the purpose of pursuing a civil forfeiture action pursuant to the provisions of section 195.140.

4. Nothing in this section shall be construed to prevent the release of information and data to persons or organizations authorized by law to compile statistics relating to juveniles. The court shall adopt procedures to protect the confidentiality of children's names and identities.

5. The court may, either on its own motion or upon application by the child or his **or her** representative, or upon application by the juvenile officer, enter an order to destroy all social histories, records, and information, other than the official court file, and may enter an order to seal the official court file, as well as all peace officers' records, at any time after the child has reached his [seventeenth] **or her eighteenth** birthday if the court finds that it is in the best interest of the child that such action or any part thereof be taken, unless the jurisdiction of the court is continued beyond the child's [seventeenth] **eighteenth** birthday, in which event such action or any part thereof may be taken by the court at any time after the closing of the child's case.

6. Nothing in this section shall be construed to prevent the release of general information regarding the informal adjustment or formal adjudication of the disposition of a child's case to a victim or a member of the immediate family of a victim of any offense committed by the child. Such general information shall not be specific as to location and duration of treatment or detention or as to any terms of supervision.

7. Records of juvenile court proceedings as well as all information obtained and social records prepared in the discharge of official duty for the court shall be disclosed to the child fatality review panel reviewing the child's death pursuant to section 210.192 unless the juvenile court on its own motion, or upon application by the juvenile officer, enters an order to seal the records of the victim child.

211.421. 1. After any child has come under the care or control of the juvenile court as provided in this chapter, any person who thereafter encourages, aids, or causes the child to commit any act or engage in any conduct which would be injurious to the child's morals or health or who knowingly or negligently disobeys, violates or interferes with a lawful order of the court with relation to the child, is guilty of contempt of court, and shall be proceeded against as now provided by law and punished by imprisonment in the county jail for a term not exceeding six months or by a fine not exceeding five hundred dollars or by both such fine and imprisonment.

2. If it appears at a juvenile court hearing that any person [seventeen] **eighteen** years of age or over has violated section 568.045 or 568.050, RSMo, by endangering the welfare of a child, the judge of the juvenile court shall refer the information to the prosecuting or circuit attorney, as the case may be, for appropriate proceedings.

211.425. 1. Any person who has been adjudicated a delinquent by a juvenile court for committing or attempting to commit a sex-related offense which if committed by an adult would be considered a felony offense pursuant to chapter 566 including, but not limited to, rape, forcible sodomy, child molestation and sexual abuse, shall be considered a juvenile sex offender and shall be required to register as a juvenile sex offender by complying with the registration requirements provided for in this section, unless such juvenile adjudicated as a delinquent is fourteen years of age or older at the time of the offense and the offense adjudicated would be considered a felony under chapter 566 if committed by an adult, which is equal to or more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, including any attempt or conspiracy to commit such offense, in which case, the juvenile shall be required to register as an adult sexual offender under sections 589.400 to 589.425. This requirement shall also apply to any person who is or has been adjudicated a juvenile delinquent in any other state or federal jurisdiction for committing, attempting to commit, or conspiring to commit offenses which would be proscribed herein.

2. Any state agency having supervision over a juvenile required to register as a juvenile sex offender or any court having jurisdiction over a juvenile required to register as a juvenile sex offender, or any person required to register as a juvenile sex offender, shall, within ten days of the juvenile offender moving into

any county of this state, register with the juvenile office of the county. If such juvenile offender changes residence or address, the state agency, court or person shall inform the juvenile office within ten days of the new residence or address and shall also be required to register with the juvenile office of any new county of residence. Registration shall be accomplished by completing a registration form similar to the form provided for in section 589.407. Such form shall include, but is not limited to, the following:

(1) A statement in writing signed by the juvenile, giving the juvenile's name, address, Social Security number, phone number, school in which enrolled, place of employment, offense which requires registration, including the date, place, and a brief description of such offense, date and place of adjudication regarding such offense, and age and gender of the victim at the time of the offense; and

(2) The fingerprints and a photograph of the juvenile.

3. Juvenile offices shall maintain the registration forms of those juvenile offenders in their jurisdictions who register as required by this section. Information contained on the registration forms shall be kept confidential and may be released by juvenile offices to only those persons and agencies who are authorized to receive information from juvenile court records as provided by law, including, but not limited to, those specified in section 211.321. State agencies having custody of juveniles who fall within the registration requirements of this section shall notify the appropriate juvenile offices when such juvenile offenders are being transferred to a location falling within the jurisdiction of such juvenile offices.

4. Any juvenile who is required to register pursuant to this section but fails to do so or who provides false information on the registration form is subject to disposition pursuant to this chapter. Any person [seventeen] **eighteen** years of age or over who commits such violation is guilty of a class A misdemeanor as provided for in section 211.431.

5. Any juvenile to whom the registration requirement of this section applies shall be informed by the official in charge of the juvenile's custody, upon the juvenile's discharge or release from such custody, of the requirement to register pursuant to this section. Such official shall obtain the address where such juvenile expects to register upon being discharged or released and shall report the juvenile's name and address to the juvenile office where the juvenile [will] **shall** be required to register. This requirement to register upon discharge or release from custody does not apply in situations where the juvenile is temporarily released under guard or direct supervision from a detention facility or similar custodial facility.

6. The requirement to register as a juvenile sex offender shall terminate upon the juvenile offender reaching age twenty-one, unless such juvenile offender is required to register as an adult offender pursuant to section 589.400.

211.431. Any person [seventeen] **eighteen** years of age or over who willfully violates, neglects or refuses to obey or perform any lawful order of the court, or who violates any provision of this chapter is guilty of a class A misdemeanor.

221.044. No person under the age of [seventeen] **eighteen** years, except those transferred to the court of general jurisdiction under the provisions of section 211.071, shall be detained in a jail or other adult detention facility as that term is defined in section 211.151. A traffic court judge may request the juvenile court to order the commitment of a person under the age of [seventeen] **eighteen** to a juvenile detention facility.”; and

Further amend said bill and page, Section 233.180, Line 25, by inserting after all of said section and line the following:”; and

Further amend said amendment and page, Line 24, by deleting all of said line and inserting in lieu thereof the following:

identification, which shall then be documented by the recorder.

Section B. The repeal and reenactment of sections 211.021, 211.031, 211.032, 211.033, 211.041, 211.061, 211.071, 211.073, 211.081, 211.091, 211.101, 211.161, 211.181, 211.321, 211.421, 211.425, 211.431, and 221.044 of this act shall become effective on January 1, 2020.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 283, Page 2, Section 233.180, Line 25, by inserting immediately after all of said section and line the following:

“451.090. 1. No recorder shall, in any event except as herein provided, issue a license authorizing the marriage of any person under [fifteen] **seventeen** years of age; provided, however, that such license may be issued on order of a circuit or associate circuit judge of the county in which the license is applied for, such license being issued only [for good cause shown and by reason of such unusual conditions as to] **after a hearing has been held in which the parties present evidence to the court that would make such marriage advisable. The court, in its order, shall determine that there is no evidence of coercion or abuse of either person entering the marriage.**

2. No recorder shall issue a license authorizing the marriage of any male under the age of eighteen years or of any female under the age of eighteen years, except with the consent of his or her custodial parent or guardian, which consent shall be given at the time, in writing, stating the residence of the person giving such consent, signed and sworn to before an officer authorized to administer oaths. **In no instance shall a license be issued authorizing the marriage of any male or female twenty-one years of age or older if the other party to the marriage is less than seventeen years of age.**

3. The recorder shall state in every license whether the parties applying for same, one or either or both of them, are of age, or whether the male is under the age of eighteen years or the female under the age of eighteen years, and if the male is under the age of eighteen years or the female is under the age of eighteen years, the name of the custodial parent or guardian consenting to such marriage. **Applicants shall provide proof of age to the recorder in the form of a certified copy of the applicant’s birth certificate, the applicant’s passport, or other government-issued identification, which shall then be documented by the recorder.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by inserting immediately after said section and line the following:

“67.505. 1. Any county may, by a majority vote of its governing body, impose a county sales tax, in conjunction with a property tax reduction for each year in which the sales tax is imposed, for the benefit of such county in accordance with the provisions of sections 67.500 to 67.545; provided, however, that no ordinance or order enacted pursuant to the authority granted by the provisions of sections 67.500 to 67.545 shall be effective unless the governing body of the county submits to the voters of the county, at a county

or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax and reduce property taxes under the provisions of sections 67.500 to 67.545.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert amount) and reduce its total property tax levy annually by (insert amount) percent of the total amount of sales tax revenue collected in the same tax year?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax and reduce the property tax as herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax and reduce the property tax under the provisions of sections 67.500 to 67.545 and such proposal is approved by a majority of the qualified voters voting thereon.

3. The sales tax may be imposed at a rate of one-fourth of one percent, three-eighths of one percent or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. Each year in which a sales tax is imposed under the provisions of sections 67.500 to 67.545, the county shall, after determining its budget, excluding funds required to be set aside and placed to the credit of special road districts, within the limits set by the constitution and laws of this state for the following calendar year and the total property tax levy needed to raise the revenues required by such budget, reduce that total property tax levy in an amount sufficient to decrease the total property taxes it will collect by an amount equal to one of the following:

(1) Fifty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(2) Sixty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(3) Seventy percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(4) Eighty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(5) Ninety percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(6) One hundred percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

provided that, in the event that in the immediately preceding year a county actually collected more or less sales tax revenue than the amount determined under subdivision (4) of section 67.500, the county shall

adjust its total property tax levy for the current year to reflect such increase or decrease.

4. No county in this state shall impose a tax under this section for the purpose of funding in whole or in part the construction, operation, or maintenance of any zoological activities, zoological facilities, zoological organizations, the metropolitan zoological park and museum district as created under section 184.350, or any zoological boards.

67.547. 1. In addition to the tax authorized by section 67.505, any county **as defined in section 67.750** may, by a majority vote of its governing body, impose an additional county sales tax on all sales which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales tax allowed by law; except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose such tax.

2. The ballot of submission shall contain, but need not be limited to the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert rate) percent **for the purpose of(insert purpose)?**

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax as herein authorized unless and until the governing body of the county submits another proposal to authorize the governing body of the county to impose the sales tax under the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon. **A county shall not submit to the voters a proposed sales tax under this section for a period of two years from the date of an election in which the county previously submitted to the voters a proposed sales tax under this section, regardless of whether the initial proposed sales tax was approved or disapproved by the voters. The revenue collected from the sales tax authorized under this section shall only be used for the purpose approved by voters of the county.**

3. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax[,] if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. **In any city not within a county or any county described in subsection 5 of this section, no sales tax for the purpose of funding zoological activities and zoological facilities as those terms are defined in section 184.500 shall exceed a rate of one-eighth of one percent unless the sales tax was levied and collected before August 28, 2017. Beginning August 28, 2017, no county shall submit to the voters any proposal that results in a combined rate of sales taxes adopted under this section in excess of one percent.**

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. In any first class county having a charter form of government and having a population of nine hundred thousand or more, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-eighths of the proceeds of the tax shall be distributed to the county and the remaining five-eighths shall be distributed to the cities, towns and villages and the unincorporated area of the county on the ratio that the population of each bears to the total population of the county. **Three-eighths of the tax rate adopted by such a county shall be included in the calculation of the county's one percent combined tax rate ceiling provided in subsection 3 of this section.** The population of each city, town or village and the unincorporated area of the county and the total population of the county shall be determined on the basis of the most recent federal decennial census. **The provisions of this subsection shall not apply if the revenue collected is used to support zoological activities of the zoological subdistrict as defined under section 184.352.**

6. Except as prohibited under section 184.353, residents of any county that does not adopt a sales tax under this section for the purpose of supporting zoological activities may be charged an admission fee for zoological facilities, programs, or events that are not part of the zoological subdistrict defined under subsection 15 of section 184.352 as of August 28, 2017.

7. In any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-fourths of the proceeds of the tax shall be distributed to the county and the remaining one-fourth shall be distributed equally among the incorporated cities, towns, and villages of the county. Upon request from any city, town, or village within the county, the county shall make available for inspection the distribution report provided to the county by the department of revenue. Any expenses incurred by the county in supplying such report to a city, town, or village shall be paid by such city, town, or village.

[7.] 8. In any first class county having a charter form of government and having a population of nine hundred thousand or more, no tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

[8.] 9. **No county in this state, other than a county with a charter form of government and with more than nine hundred fifty thousand inhabitants and a city not within a county, shall impose a tax under this section for the purpose of funding in whole or in part the construction, operation, or maintenance of any zoological activities, zoological facilities, zoological organizations, the metropolitan zoological park and museum district as created under section 184.350, or any zoological boards.**

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the

balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

11. No revenue received from a tax for the purpose of funding zoological activities in any county shall be used for the benefit of any entity that has ever been named Grant's Farm or is located at ten thousand five hundred one Gravois Road, Saint Louis, Missouri, or successor address, or to supplant any funding received from the metropolitan zoological park and museum district established under section 184.350.”; and

Further amend said bill, Page 2, Section 67.1364, Line 13, by inserting immediately after said section and line the following:

“94.510. 1. Any city may, by a majority vote of its council or governing body, impose a city sales tax for the benefit of such city in accordance with the provisions of sections 94.500 to 94.550; provided, however, that no ordinance enacted pursuant to the authority granted by the provisions of sections 94.500 to 94.550 shall be effective unless the legislative body of the city submits to the voters of the city, at a public election, a proposal to authorize the legislative body of the city to impose a tax under the provisions of sections 94.500 to 94.550. The ballot of submission shall be in substantially the following form:

Shall the city of (insert name of city) impose a city sales tax of (insert rate of percent) percent?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the legislative body of the city shall have no power to impose the tax herein authorized unless and until the legislative body of the city shall again have submitted another proposal to authorize the legislative body of the city to impose the tax under the provisions of sections 94.500 to 94.550, and such proposal is approved by a majority of the qualified voters voting thereon.

2. The sales tax may be imposed at a rate of one-half of one percent, seven-eighths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525; except that, each city not within a county may impose such tax at a rate not to exceed one and three-eighths percent. **Beginning August 28, 2017, no city shall submit to the voters any proposal that results in a combined rate of sales taxes adopted under this section in excess of two percent.**

3. If any city in which a city tax has been imposed in the manner provided for in sections 94.500 to 94.550 shall thereafter change or alter its boundaries, the city clerk of the city shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by the act shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

4. If any city abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city shall

notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 283, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“67.990. 1. The governing body of any county or city not within a county may, upon approval of a majority of the qualified voters of such county or city voting thereon, levy and collect a tax not to exceed five cents per one hundred dollars of assessed valuation, or in any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants, the governing body may, upon approval of a majority of the qualified voters of the county voting thereon, levy and collect a tax not to exceed ten cents per one hundred dollars of assessed valuation upon all taxable property within the county or city or for the purpose of providing services to persons sixty years of age or older. The tax so levied shall be collected along with other county or city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund for the provision of services for persons sixty years of age or older, and shall be used for no other purpose except those purposes authorized in sections 67.990 to 67.995. Deposits in the fund shall be expended only upon approval of the board of directors established in section 67.993 and only in accordance with the fund budget approved by the county [or city governing body]. **In a city not within a county, deposits in the fund shall be expended only in accordance with the budget approved by the board established in section 67.993.**

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) levy a tax of cents per each one hundred dollars assessed valuation for the purpose of providing services to persons sixty years of age or older?

☐ YES

☐ NO

67.993. 1. Upon the approval of the tax authorized by section 67.990 by the voters of the county or city not within a county, the tax so approved shall be imposed upon all taxable property within the county or city and the proceeds therefrom shall be deposited in a special fund, to be known as the “Senior Citizens’ Services Fund”, which is hereby established within the county [or city] treasury. **In a city not within a county, the proceeds shall be deposited with the board established by law to administer such funds, which shall be known as the “Senior Citizen Services Fund” to accomplish the purposes set out herein and for no other purpose.** No moneys in the senior citizens’ services fund shall be spent until the board of directors provided for in subsection 2 of this section has been appointed and has taken office.

2. Upon approval of the tax authorized by section 67.990 by the voters of the county or city, the governing body of the county or the mayor of the city shall appoint a board of directors consisting of seven directors, who shall be selected from the county or city at large and shall, as nearly as practicable, represent the various groups to be served by the board **and the demography of the political subdivision served**. Each director shall be a resident of the county or city. Each director shall be appointed to serve for a term of four years and until his successor is duly appointed and qualified; except that, of the directors first appointed, one director shall be appointed for a term of one year, two directors shall be appointed for a term of two years, two directors shall be appointed for a term of three years, and two directors shall be appointed for a term of four years. Directors may be reappointed. All vacancies on the board of directors shall be filled for the remainder of the unexpired term by the governing body of the county or mayor of the city. The directors shall not receive any compensation for their services, but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties from the moneys in the senior citizens' services fund.

3. The administrative control and management of the funds in the senior citizens' services fund and all programs to be funded therefrom shall rest solely with the board of directors appointed under subsection 2 of this section; except that, the budget for the senior citizens' services fund shall be approved by the governing body of the county [or city] prior to making of any payments from the fund in any fiscal year. **In a city not within a county, such fund shall be administered by and expended only upon approval by a board of directors established under this section.** The board of directors shall use the funds in the senior citizens' services fund to provide programs which will improve the health, nutrition, and quality of life of persons who are sixty years of age or older. The budget may allocate funds for operational and capital needs to senior-related programs in the county or city in which such property taxes are collected. No funds in the senior citizens' services fund may be used, directly or indirectly, for any political purpose. In providing such services, the board of directors may contract with any person to provide services relating, in whole or in part, to the services which the board itself may provide under this section, and for such purpose may expend the tax proceeds derived from the tax authorized by section 67.990.

4. The board of directors shall elect a chairman, vice chairman, and such other officers as it deems necessary; shall establish eligibility requirements for the programs it furnishes; and shall do all other things necessary to carry out the purposes of sections 67.990 to 67.995. A majority of the board of directors shall constitute a quorum.

5. The board of directors, with the approval of the governing body of the county [or city], may accept any gift of property or money for the use and benefit of the persons to be served through the programs established and funded under sections 67.990 to 67.995, and may sell or exchange any such property so long as such sale or exchange is in the best interests of the programs provided under sections 67.990 to 67.995 and the proceeds from such sale or exchange are used exclusively to fund such programs. **In a city not within a county, the board of directors may solicit, accept, and expend grants from private or public entities and enter into agreements to effectuate such grants so long as the transaction is in the best interests of the programs provided by the board and the proceeds are used exclusively to fund such programs.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute for Senate Bill No. 283, Page 1, Line

15, by deleting all of said line and inserting in lieu thereof the following:

“3. Road damage or obstruction shall not constitute violations under this section when farming or ranching lands have been improved using soil and water conservation practices implemented in conformance with the Missouri soil and water conservation program or natural resources conservation service technical standards.

4. The road overseer of any district, or county highway engineer, who finds any road damaged or”; and

Further amend said amendment and page, Line 17, by inserting after “writing,” the words **“using any mail service with delivery tracking,”**; and

Further amend said amendment and page, Line 23, by deleting **“days,”** and inserting in lieu thereof **“days of the tracked delivery date,”**; and

Further amend said amendment and page, Line 28, by inserting after **“trespass.”** the following:

“Such authorization and entry shall not be granted until the opportunity for a hearing has been completed and the petition has been granted.”; and

Further amend said amendment and page, Line 33, by inserting the following after the word, **“law.”** the following:

“If the court denies the petition, the county shall be responsible for the landowner’s court costs and reasonable attorney’s fees.”; and

Further amend said amendment by renumbering said section accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 283, Page 2, Section 137.565, Line 13, by inserting immediately after all of said section and line the following:

“229.150. 1. All driveways or crossings over ditches connecting highways with the private property shall be made under the supervision of the road overseer or commissioners of the road districts.

2. [Any] No person or persons [who] shall willfully or knowingly obstruct or damage any public road by obstructing the side or cross drainage or ditches thereof, or by turning water upon such road or right-of-way, or by throwing or depositing brush, trees, stumps, logs, or any refuse or debris whatsoever, in said road, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge or erecting any advertising sign within the lines established for such road, or by changing the location thereof, or shall obstruct or damage said road, highway, or drains in any other manner whatsoever[, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than five dollars nor more than two hundred dollars, or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment].

3. The road overseer of any district, or county highway engineer, who finds any road damaged or obstructed as above specified, [shall] may notify the [person] landowner violating the provisions of this section, [verbally or] in writing, to remove such obstruction, to repair such damage in a manner approved by the road overseer or county highway engineer making the request, or to pay the reasonable cost of such removal or repair. [Within ten days after being notified, he shall pay the sum of five dollars for each and every day after the tenth day if such obstruction is maintained or permitted to

remain; such fine to be recovered by suit brought by the road overseer, in the name of the road district, in any court of competent jurisdiction] **If the landowner fails to remove any obstruction, make any repairs, or remit any payment of costs as requested within thirty days, the road overseer or county highway engineer may petition the associate circuit court of the county in which the land is located to authorize the overseer or engineer or an agent or employee thereof, to enter the landowner's land to remove the obstruction or to repair the damage, in order to restore the roadway or drainage ditch to a condition substantially the same as the adjacent roadways and drainage ditches. Such entry on the landowner's lands shall be limited to the extent necessary to repair the roadway or drainage ditch, and shall constitute no cause of action for trespass. The petition shall include an estimate of the costs.**

4. If the court enters a judgment granting the petition and authorizing the actions requested therein, the judgment shall include an award for the reasonable cost of removal or repair, court costs, and reasonable attorney's fees, and shall become a lien on such lands, and shall be collected as state and county taxes are collected by law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 283, Page 2, Section 137.565, Line 13, by inserting after all of said section and line the following:

“190.053. 1. All members of the board of directors of an ambulance district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of an ambulance district. The training required under this section shall be offered by a statewide association organized for the benefit of ambulance districts or be approved by the state advisory council on emergency medical services. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of an ambulance district director;
- (2) A review of all state statutes and regulations relevant to ambulance districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;
- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any ambulance district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. **If any ambulance district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member.”; and**

Further amend said bill, Page 2, Section 233.180, Line 25, by inserting after all of said line the following:

“320.097. 1. As used in this section, “fire department” means any agency or organization that provides

fire suppression and related activities, including but not limited to fire prevention, rescue, emergency medical services, hazardous material response, dispatching, or special operations to a population within a fixed and legally recorded geographical area.

2. No employee of a fire department who has worked for seven years for such department shall, as a condition of employment, be required to reside within a fixed and legally recorded geographical area of the fire department if the only public school district available to the employee within such fire department's geographical area is a public school district that is or has been unaccredited or provisionally accredited in the last five years of such employee's employment. Employees who have satisfied the seven-year requirement in this subsection and who choose to reside outside the geographical boundaries of the department shall reside within a one-hour response time. No charter school shall be deemed a public school for purposes of this section.

3. No employee of a fire department who has not resided in such fire department's fixed and legally recorded geographical area, or who has changed such employee's residency because of conditions described in subsection 2 of this section, shall as a condition of employment be required to reside within the fixed and legally recorded geographical area of the fire department if such school district subsequently becomes fully accredited.

4. No employee of a fire department who does not receive a salary shall be required to live in a fire department's fixed and legally recorded geographical area.

320.098. No county shall require attendance at a specific training academy by any candidate for a firefighter position.

321.017. 1. Notwithstanding the provisions of section 321.015, no employee of any fire protection district or ambulance district shall serve as a member of any fire district or ambulance district board while such person is employed by any fire district or ambulance district, except that an employee of a fire protection district or an ambulance district may serve as a member of a voluntary fire protection district board or a voluntary ambulance district board.

2. Notwithstanding any other provision of law to the contrary, individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board unless such employment is on a volunteer basis or without compensation.

3. Notwithstanding any provision of law to the contrary, no fire protection district or ambulance district shall require an employee who does not receive a salary to live within the district.

321.162. 1. All members of the board of directors of a fire protection district first elected on or after January 1, 2008, shall attend and complete an educational seminar or conference or other suitable training on the role and duties of a board member of a fire protection district. The training required under this section shall be conducted by an entity approved by the office of the state fire marshal. The office of the state fire marshal shall determine the content of the training to fulfill the requirements of this section. Such training shall include, at a minimum:

- (1) Information relating to the roles and duties of a fire protection district director;
- (2) A review of all state statutes and regulations relevant to fire protection districts;
- (3) State ethics laws;
- (4) State sunshine laws, chapter 610;

- (5) Financial and fiduciary responsibility;
- (6) State laws relating to the setting of tax rates; and
- (7) State laws relating to revenue limitations.

2. If any fire protection district board member fails to attend a training session within twelve months after taking office, the board member shall not be compensated for attendance at meetings thereafter until the board member has completed such training session. **If any fire protection district board member fails to attend a training session within twenty-four months after taking office, the board member shall forfeit his or her position as a board member and the remaining board members shall appoint an interim board member to hold the position for the remainder of the term of the forfeited member.**

321.200. 1. Except as otherwise provided in subsection 3 of this section, the board shall meet regularly, not less than once each month, at a time and at some building in the district to be designated by the board. Notice of the time and place of future regular meetings shall be posted continuously at the firehouse or firehouses of the district. Additional meetings may be held, when the needs of the district so require, at a place regular meetings are held, and notice of the time and place shall be given to each member of the board. Meetings of the board shall be held and conducted in the manner required by the provisions of chapter 610. All minutes of meetings of the board and all other records of the fire protection district shall be available for public inspection at the main firehouse within the district by appointment with the secretary of the board within one week after a written request is made between the hours of 8:00 a.m. and 5:00 p.m. every day except Sunday. A majority of the members of the board shall constitute a quorum at any meeting and no business shall be transacted unless a quorum is present. The board, acting as a board, shall exercise all powers of the board, without delegation thereof to any other governmental or other body or entity or association, and without delegation thereof to less than a quorum of the board. Agents, employees, engineers, auditors, attorneys, firemen and any other member of the staff of the district may be employed or discharged only by a board which includes at least two directors; but any board of directors may suspend from duty any such person or staff member who willfully and deliberately neglects or refuses to perform his or her regular functions.

2. Any vacancy on the board shall be filled by the remaining elected members of the board, except when less than two elected members remain on the board any vacancy shall be filled by the circuit court of the county in which all or a majority of the district lies. The appointee or appointees shall act until the next biennial election at which a director or directors are elected to serve the remainder of the unexpired term.

3. Notwithstanding any provision of sections 610.015 and 610.020 to the contrary, when Missouri Task Force One or any Urban Search and Rescue Task Force is activated for deployment by the federal emergency management agency, state emergency management agency, or statewide mutual aid, a quorum of the board of directors of the affiliated fire protection district may meet in person, via telephone, facsimile, internet, or any other voice or electronic means, without public notice, in order to authorize by roll call vote the disbursement of funds necessary for the deployment.

4. In the event action is necessary under subsection 3 of this section, the board of directors of the affiliated fire protection district shall keep minutes of the emergency meeting and disclose during the next regularly scheduled meeting of the board that the emergency meeting was held, the action that precipitated calling the emergency meeting without notice, and that the minutes of the emergency meeting are available as a public record of the board.

5. Members of a fire district or ambulance district board of directors shall only receive compensation for meetings the member attended. If multiple meetings occur on the same day, members shall not receive compensation for more than one meeting.

590.025. No law enforcement agency shall require an employee who does not receive a salary to live within a jurisdiction more specific than this state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 11

Amend House Committee Substitute for Senate Bill No. 283, Page 2, Section 233.180, Line 25, by inserting immediately after all of said section and line the following:

“347.048. **1. (1)** Any limited liability company that owns and rents or leases real property, or owns unoccupied real property, located within any home rule city with a population of more than four hundred thousand inhabitants which is located in more than one county, shall file with that city’s clerk an affidavit listing the name and **street** address of at least one **natural** person who has management control and responsibility for the real property owned and leased or rented by the limited liability company, or owned by the limited liability company and unoccupied.

(2) Within thirty days following the cessation of management control and responsibility of any natural person named in an affidavit described under this section, the limited liability company shall file a successor affidavit listing the name and street address of a natural person successor.

2. No limited liability company shall be charged a fee for filing an affidavit or successor affidavit required under this section.

3. If a limited liability company required under this section to file an affidavit or a successor affidavit fails or refuses to file such completed affidavit with the appropriate clerk, any person who is adversely affected by such failure or refusal or the home rule city may petition the circuit court in the county where the property is located to direct the execution and filing of such document.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed SCS for **SB 322**.

With House Amendment No. 1 and House Amendment No. 2.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 322, Page 1, Section 227.447, Line 7, by inserting immediately after said line the following:

“227.449. The portion of State Highway 163 from the interchange with Interstate 70 continuing south to Loop 70 in Boone County shall be designated as “Sherman Brown Jr. Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway with the costs to be paid by private donations.

Section 1. The bridge on Interstate 70 crossing over The Paseo Boulevard in the city of Kansas City in Jackson County shall be designated as the “Mary Groves Bland Memorial Bridge”. The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs of such designation to be paid for by private donation.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute for Senate Bill No. 322, Page 1, Section 227.447, Line 7, by inserting after all of said section and line the following:

“227.532. The portion of Missouri 249 from State Highway VV continuing north to Missouri 171 in Jasper County shall be designated as the “Edward F Dixon The Third Memorial Highway”. The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs of such designation to be paid for by private donation.

227.533. The bridge on State Highway 100 crossing over Big Boeuf Creek in Franklin County shall be designated the “Lyndon Ebker Memorial Bridge”. The department of transportation shall erect and maintain appropriate signs designating such bridge, with the costs of such designation to be paid for by private donation.

Section 1. The bridge on State Highway 99 crossing over Eleven Point River in Thomasville in Oregon County shall be designated as the “Roger “Dusty” Shaw Memorial Bridge”. The department of transportation shall erect and maintain signs designating such bridge, with the cost of such designation to be paid for by private donations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 503**.

With House Amendment No. 1, House Amendment No. 2 and House Amendment No. 3.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 503, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“43.401. 1. The reporting of missing persons by law enforcement agencies, private citizens, and the responsibilities of the patrol in maintaining accurate records of missing persons are as follows:

(1) A person may file a complaint of a missing person with a law enforcement agency having jurisdiction. The complaint shall include, but need not be limited to, the following information:

(a) The name of the complainant;

(b) The name, address, and phone number of the guardian, if any, of the missing person;

(c) The relationship of the complainant to the missing person;

[(c)] **(d)** The name, age, address, and all identifying characteristics of the missing person;

[(d)] **(e)** The length of time the person has been missing; **and**

[(e)] **(f)** All other information deemed relevant by either the complainant or the law enforcement agency;

(2) A report of the complaint of a missing person shall be immediately entered into the Missouri uniform law enforcement system (MULES) and the National Crime Information Center (NCIC) system by the law enforcement agency receiving the complaint, and disseminated to other law enforcement agencies who may come in contact with or be involved in the investigation or location of a missing person;

(3) A law enforcement agency with which a complaint of a missing child has been filed shall prepare, as soon as practicable, a standard missing child report. The missing child report shall be maintained as a record by the reporting law enforcement agency during the course of an active investigation;

(4) Upon the location of a missing person, or the determination by the law enforcement agency of jurisdiction that the person is no longer missing, the law enforcement agency which reported the missing person shall immediately remove the record of the missing person from the MULES and NCIC files.

2. No law enforcement agency shall prevent an immediate active investigation on the basis of an agency rule which specifies an automatic time limitation for a missing person investigation.

70.210. As used in sections 70.210 to 70.320, the following terms mean:

(1) “Governing body”, the board, body or persons in which the powers of a municipality or political subdivision are vested;

(2) “Municipality”, municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions;

(3) “Political subdivision”, counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, any board of control of an art museum, **any 911 or emergency services board authorized in chapter 190 or in section 321.243**, the board created under sections 205.968 to 205.973, and any other public subdivision or public corporation having the power to tax.

190.300. As used in sections 190.300 to [190.320] **190.340**, the following terms and phrases mean:

(1) “Emergency telephone service”, a telephone system utilizing a single three digit number “911” for reporting police, fire, medical or other emergency situations;

(2) “Emergency telephone tax”, a tax to finance the operation of emergency telephone service;

(3) “Exchange access facilities”, all facilities provided by the service supplier for local telephone exchange access to a service user;

(4) “Governing body”, the legislative body for a city, county or city not within a county;

(5) “Person”, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy,

or any other service user;

(6) “Public agency”, any city, county, city not within a county, municipal corporation, public district or public authority located in whole or in part within this state which provides or has authority to provide fire fighting, law enforcement, ambulance, emergency medical, or other emergency services;

(7) “Service supplier”, any person providing exchange telephone services to any service user in this state;

(8) “Service user”, any person, other than a person providing pay telephone service pursuant to the provisions of section 392.520 not otherwise exempt from taxation, who is provided exchange telephone service in this state;

(9) “Tariff rate”, the rate or rates billed by a service supplier to a service user as stated in the service supplier’s tariffs, [approved by the Missouri public service commission] **contracts, service agreements, or similar documents governing the provision of the service**, which represent the service supplier’s recurring charges for exchange access facilities or their equivalent, **or equivalent rates contained in contracts, service agreements, or similar documents**, exclusive of all taxes, fees, licenses, or similar charges whatsoever.

190.308. 1. In any county that has established an emergency telephone service pursuant to sections 190.300 to [190.320] **190.340**, it shall be unlawful for any person to misuse the emergency telephone service. For the purposes of this section, “emergency” means any incident involving danger to life or property that calls for an emergency response dispatch of police, fire, EMS or other public safety organization, “misuse the emergency telephone service” includes, but is not limited to, repeatedly calling the “911” for nonemergency situations causing operators or equipment to be in use when emergency situations may need such operators or equipment and “repeatedly” means three or more times within a one-month period.

2. Any violation of this section is a class B misdemeanor.

3. No political subdivision shall impose any fine or penalty on the owner of a pay telephone or on the owner of any property upon which a pay telephone is located for calls to the emergency telephone service made from the pay telephone. Any such fine or penalty is hereby void.

190.325. 1. In any county of the first classification without a charter form of government with a population of at least one hundred fifty thousand inhabitants but less than two hundred **fifty** thousand inhabitants, the county commission may use all or a part of the moneys derived from the emergency telephone tax authorized pursuant to section 190.305 for central dispatching of fire protection, emergency ambulance service or any other emergency services, which may include the purchase and maintenance of communications and emergency equipment. In the event such commission chooses to use the tax provided in that section for such services, the provisions of sections 190.300 to 190.320 shall apply except as provided in this section.

2. The tax shall not exceed a percentage of the base tariff rate and such percentage shall not exceed an amount equal to a maximum rate of one dollar thirty cents per line per month, the provisions of section 190.305 to the contrary notwithstanding. The tax imposed by this section and the amounts required to be collected are due monthly. The amount of tax collected in one calendar month by the service supplier shall be remitted to the governing body no later than one month after the close of a calendar month. On or before

the last day of each calendar month, a return for the preceding month shall be filed with the governing body in such form as the governing body and service supplier shall agree. The service supplier shall include the list of any service user refusing to pay the tax imposed by this section with each return filing. The service supplier required to file the return shall deliver the return, together with a remittance of the amount of the tax collected. The records shall be maintained for a period of one year from the time the tax is collected. From every remittance to the governing body made on or before the date when the same becomes due, the service supplier required to remit the same shall be entitled to deduct and retain, as a collection fee, an amount equal to two percent thereof.

3. Nothing in this section shall be construed to require any municipality or other political subdivision to join the central dispatching system established pursuant to this section. The governing body of any municipality or other political subdivision may contract with the board established pursuant to section 190.327 for such services or portion of such services, or for the purchase and maintenance of communication and emergency equipment.

190.327. 1. Immediately upon the decision by the commission to utilize a portion of the emergency telephone tax for central dispatching and an affirmative vote of the telephone tax, the commission shall appoint the initial members of a board which shall administer the funds and oversee the provision of central dispatching for emergency services in the county and in municipalities and other political subdivisions which have contracted for such service. Beginning with the general election in 1992, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency telephone service and in chapter 321, with regard to the provision of central dispatching service, and such duties shall be exercised by the board.

2. Elections for board members may be held on general municipal election day, as defined in subsection 3 of section 115.121, after approval by a simple majority of the county commission.

3. For the purpose of providing the services described in this section, the board shall have the following powers, authority and privileges:

- (1) To have and use a corporate seal;
- (2) To sue and be sued, and be a party to suits, actions and proceedings;
- (3) To enter into contracts, franchises and agreements with any person, partnership, association or corporation, public or private, affecting the affairs of the board;
- (4) To acquire, construct, purchase, maintain, dispose of and encumber real and personal property, including leases and easements;
- (5) To have the management, control and supervision of all the business affairs of the board and the construction, installation, operation and maintenance of any improvements;
- (6) To hire and retain agents and employees and to provide for their compensation including health and pension benefits;
- (7) To adopt and amend bylaws and any other rules and regulations;
- (8) To fix, charge and collect the taxes and fees authorized by law for the purpose of implementing and

operating the services described in this section;

(9) To pay all expenses connected with the first election and all subsequent elections; and

(10) To have and exercise all rights and powers necessary or incidental to or implied from the specific powers granted in this subsection. Such specific powers shall not be considered as a limitation upon any power necessary or appropriate to carry out the purposes and intent of sections 190.300 to 190.329.

4. (1) Notwithstanding the provisions of subsections 1 and 2 of this section to the contrary, the county commission may elect to appoint the members of the board to administer the funds and oversee the provision of central dispatching for emergency services in the counties and municipalities and other political subdivisions which have contracted for such service upon the request of the municipalities and other political subdivisions. Upon appointment of the initial members of the board, the commission shall relinquish to the board and no longer exercise the duties prescribed in this chapter with regard to the provision of central dispatching service and such duties shall be exercised by the board.

(2) The board shall consist of seven members appointed without regard to political affiliation. The members shall include:

(a) Five members who shall serve for so long as they remain in their respective county or municipal positions as follows:

a. The county sheriff, or his or her designee;

b. The heads of the municipal police department who have contracted for central dispatching service in the two largest municipalities wholly contained within the county, or their designees; and

c. The heads of the municipal fire departments or fire divisions who have contracted for central dispatching service in the two largest municipalities wholly contained within the county, or their designees;

(b) Two members who shall serve two-year terms appointed from among the following:

a. The head of any of the county's fire protection districts who have contracted for central dispatching service, or his or her designee;

b. The head of any of the county's ambulance districts who have contracted for central dispatching service, or his or her designee;

c. The head of any of the municipal police departments located in the county who have contracted for central dispatching service, or his or her designee, excluding those mentioned in subparagraph b of paragraph (a) of subdivision (2) of this subsection; and

d. The head of any of the municipal fire departments in the county who have contracted for central dispatching service, or his or her designee, excluding those mentioned in subparagraph c of paragraph (a) of subdivision (2) of this subsection.

(3) Upon the appointment of the board under this subsection, the board shall have the powers provided in subsection 3 of this section and the commission shall relinquish all powers and duties relating to the provision of central dispatching service under this chapter to the board.

190.328. 1. Beginning in 1997, within the area from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities in counties of the third classification with a population of at least thirty-two thousand but no greater than forty thousand that border a county of the first classification but do not border the Mississippi River, the initial board shall consist of two members from each township within such area and one at-large member who shall serve as the initial chairperson of such board.

2. Within the area from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities in counties of the third classification with a population of at least thirty-two thousand but no greater than forty thousand that border a county of the first classification, voters shall elect a board to administer funds and oversee the provision of central dispatching for emergency services. Such board shall consist of two members elected from each of the townships within such area and one member elected at large who shall serve as the chairperson of the board.

3. Of those initially elected to the board as provided in this section, four from the townships shall be elected to a term of two years, and four from the townships and the at-large member shall be elected to a term of four years. Upon the expiration of these initial terms, all members shall thereafter be elected to terms of four years; **provided that, if a board established in this section consolidates with a board established under section 190.327 or 190.335, under the provisions of section 190.460, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.**

190.329. 1. Except in areas from which voters and the commission have approved the provision of central dispatching for emergency services by a public agency for an area containing third or fourth class cities located in counties of the third classification with a population of at least thirty-two thousand but no greater than forty thousand that border a county of the first classification but do not border the Mississippi River, the initial board shall consist of seven members appointed without regard for political party who shall be selected from and shall represent the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from any one commission district of the county.

2. Beginning in 1992, three members shall be elected from each commission district and one member shall be elected at large, with such at-large member to be a voting member and chairman of the board. Of those first elected, four members from commission districts shall be elected for terms of two years and two members from commission districts and the member at large shall be elected for terms of four years. In 1994, and thereafter, all terms of office shall be for four years, except as **otherwise provided in this subsection or as provided in subsection 3 of this section.** Any vacancy on the board shall be filled in the same manner as the initial appointment was made. Four members shall constitute a quorum. **If a board established in section 190.327 consolidates with a board established under section 190.327, 190.328, or 190.335, under the provisions of section 190.460, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.**

3. Upon approval by the county commission for the election of board members to be held on general

municipal election day, pursuant to subsection 2 of section 190.327, the terms of those board members then holding office shall be reduced by seven months. After a board member's term has been reduced, all following terms for that position shall be for four years, **except as otherwise provided under subsection 2 of this section.**

190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund

the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years; **provided that, if a board established in this section consolidates with a board established under this section, section 190.327, or section 190.328, under the provisions of section 190.460, the term of office for the existing board members shall end on the thirtieth day following the appointment of the initial board of directors for the consolidated district.** Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants or in any county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency **telephone** service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants, each of the entities listed in subdivision (2) of this subsection shall be represented on the board by at least one member.

(5) In any county with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants, the entities listed in subdivision (2) of this subsection shall be represented by one member, and two members shall be residents of the county not affiliated with any of the entities listed in subdivision (2) of this subsection and shall be known as public members.

190.400. As used in sections 190.400 to [190.440] **190.451**, the following words and terms shall mean:

- (1) ["911", the primary emergency telephone number within the wireless system;
- (2) "Board", the wireless service provider enhanced 911 advisory board;

(3)] "Active telephone number", a ten-digit North American Numbering Plan number that has been assigned to a subscriber and is provisioned to generally reach, by dialing, the public switched telephone network and not only 911 or the 911 system;

(2) "Communications service":

(a) Any service that:

a. Uses telephone numbers or their functional equivalents or successors;

b. Provides access to, and a connection or interface with, a 911 system through the activation or enabling of a device, transmission medium, or technology that is used by a customer to dial, initialize,

or otherwise activate the 911 system, regardless of the particular device, transmission medium, or technology employed;

c. Provides and enables real-time or interactive communications other than machine-to-machine communications; and

d. Is available to a prepaid user or a standard user;

(b) The term includes, but is not limited to, the following:

a. Internet protocol enabled services and applications that are provided through wireline, cable, wireless, or satellite facilities, or any other facility or platform that is capable of connecting and enabling a 911 communication to a public safety answering point;

b. Commercial mobile radio service; and

c. Interconnected voice over internet protocol service and voice over power lines;

(c) The term does not include broadband internet access service;

(d) For purposes of this section, if a device that is capable of contacting 911 is permanently installed in a vehicle, it shall not be subject to this section unless the owner of such vehicle purchases or otherwise subscribes to a commercial mobile service as defined under 47 U.S.C. Section 332(d) of the Telecommunications Act of 1996;

(3) “Provider or communications service provider”, a person who provides retail communications services to the public that include 911 communications service including, but not limited to, a local exchange carrier, a wireless provider, and a voice over internet protocol provider, but only if such entity provides access to, and connection and interface with, a 911 communications service or its successor service;

(4) “Public safety agency”, a functional division of a public agency which provides fire fighting, police, medical or other emergency services. For the purpose of providing wireless service to users of 911 emergency services, as expressly provided in this section, the department of public safety and state highway patrol shall be considered a public safety agency;

[(4)] (5) “Public safety answering point”, the location at which 911 calls are [initially] answered;

[(5)] (6) “Subscriber”, a person who contracts with and is billed by a provider for a retail communications service. In the case of wireless service and for purposes of section 190.450, the term “subscriber” means a person who contracts with a provider if the person’s primary place of use is within the county or city imposing a monthly fee under section 190.450, and does not include subscribers to prepaid wireless service;

(7) “Wireless service provider”, a provider of commercial mobile service pursuant to Section 332(d) of the Federal Telecommunications Act of 1996 (47 U.S.C. Section 151 et seq).

190.420. 1. There is hereby established a **special trust** fund to be known as the “[Wireless Service Provider Enhanced] **Missouri 911 Service Trust Fund**”. All fees collected pursuant to sections 190.400 to [190.440 by wireless service providers] **190.451** shall be remitted to the director of the department of revenue.

2. The director of the department of revenue shall deposit such payments into the [wireless service

provider enhanced] **Missouri 911 service trust fund.** Moneys in the fund shall be used for the purpose of reimbursing expenditures actually incurred in the implementation and operation of the [wireless service provider enhanced] **Missouri 911 [system] systems and for the answering and dispatching of emergency calls as determined to be appropriate by the governing body of the county or city imposing the fee.**

3. Any unexpended balance in the fund shall be exempt from the provisions of section 33.080, relating to the transfer of unexpended balances to the general revenue fund, and shall remain in the fund. Any interest earned on the moneys in the fund shall be deposited into the fund, **and may be used to fund the study required under subsection 18 of section 190.450.**

4. **The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of moneys in the trust fund which were collected in each county, city not within a county, or home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants under sections 190.400 to 190.451, and the records shall be open to the inspection of officers of a participating county or city and the public.**

190.450. 1. Except as provided under subsections 9 and 10 of this section, in lieu of the tax levy authorized under section 190.305 or 190.325 or the sales tax imposed under section 190.292 or 190.335, the governing body of any county, city not within a county, or home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants may impose, by order or ordinance, a monthly fee on subscribers of any communications service that has been enabled to contact 911. The monthly fee authorized in this section shall not exceed one dollar and fifty cents and shall be assessed to the subscriber of the communications service, regardless of technology, based upon the number of active telephone numbers, or their functional equivalents or successors, assigned by the provider and capable of simultaneously contacting the public safety answering point; provided that, for multiline telephone systems and for facilities provisioned with capacity greater than a voice capable grade channel or its equivalent, regardless of technology, the charge shall be assessed on the number of voice-capable grade channels as provisioned by the provider that allow simultaneous contact with the public safety answering point. Only one fee may be assessed per active telephone number, or its functional equivalent or successor, used to provide a communications service. No fee imposed under this section shall be imposed on more than one hundred voice-grade channels or their equivalent per person per location. Notwithstanding any provision to the contrary in this section, the monthly fee shall not be assessed on the provision of broadband internet access service. The fee shall be imposed solely for the purpose of funding 911 service in such county or city. The monthly fee authorized in this section shall be limited to one fee per device. The fee authorized in this section shall be in addition to all other taxes and fees imposed by law and may be stated separately from all other charges and taxes. The fee shall be the liability of the subscriber, not the provider, except that the provider shall be liable to remit all fees that the provider collects under this section.

2. **No such order or ordinance adopted under this section shall become effective unless the governing body of the county or city submits to the voters residing within the county or city at a state general, primary, or special election a proposal to authorize the governing body to impose a fee under**

this section. The question submitted shall be in substantially the following form:

“Shall (insert name of county or city) impose a monthly fee of (insert amount) on a subscriber of any communications service that has been enabled to contact 911 for the purpose of funding 911 service in the (county or city)?”

☐ YES

☐ NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the fee shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the fee. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the fee shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question. The question shall not be resubmitted within three hundred fifty-nine days of the previous election at which a majority of the votes cast were opposed to the question.

3. Except as modified in this section, all provisions of sections 32.085 and 32.087 and subsection 7 of section 144.190 shall apply to the fee imposed under this section.

4. All revenue collected under this section by the director of the department of revenue on behalf of the county or city, except for two percent to be withheld by the provider for the cost of administering the collection and remittance of the fee and one percent for the cost of collection which shall be deposited in the state’s general revenue fund, shall be deposited in the Missouri 911 service trust fund created in section 190.420. The director of the department of revenue shall remit such funds to the county or city on a monthly basis. The governing body of any such county or city shall control such funds remitted to the county or city unless the county or city has established an elected board for the purpose of administering such funds. In the event that any county or city has established a board under any other provision of state law for the purpose of administering funds for 911 service, such existing board may continue to perform such functions after the county or city has adopted the monthly fee under this section.

5. Nothing in this section imposes any obligation upon a provider of a communications service to take any legal action to enforce the collection of the tax imposed in this section. The tax shall be collected in compliance, as applicable, with the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 to 124, as amended.

6. Notwithstanding any other provision of law to the contrary, proprietary information submitted under this section shall only be subject to subpoena or lawful court order. Information collected under this section shall only be released or published in aggregate amounts that do not identify or allow identification of numbers of subscribers or revenues attributable to an individual communications service provider.

7. Notwithstanding any other provision of law to the contrary, in no event shall any communications service provider, its officers, employees, assigns, agents, vendors, or anyone acting on behalf of such persons, be liable for any form of civil damages or criminal liability that directly or indirectly results from, or is caused by:

- (1) An act or omission in the development, design, installation, operation, maintenance,**

performance, or provision of service to a public safety answering point or to subscribers that use such service, whether providing such service is required by law or is voluntary; or

(2) The release of subscriber information to any governmental entity under this section unless such act, release of subscriber information, or omission constitutes gross negligence, recklessness, or intentional misconduct.

Nothing in this section is intended to void or otherwise override any contractual obligation pertaining to equipment or services sold to a public safety answering point by a communications service provider. No cause of action shall lie in any court of law against any provider of communications service, commercial mobile service, or other communications-related service, or its officers, employees, assignees, agents, vendors, or anyone acting on behalf of such persons, for providing call location information concerning the user of any such service in an emergency situation to a law enforcement official or agency in order to respond to a call for emergency service by a subscriber, customer, or user of such service or for providing caller location information or doing a ping locate in an emergency situation that involves danger of death or serious physical injury to any person where disclosure of communications relating to the emergency is required without delay, whether such provision of information is required by law or voluntary.

8. The fee imposed under this section shall not be imposed on customers who pay for service prospectively, known as purchasers of prepaid wireless telecommunications service customers.

9. No county or city shall submit a proposal to the voters under this section for a fee of more than one dollar until the county or city receives approval for the fee amount from the Missouri 911 service board established under section 650.325. Once a fee of more than one dollar has been approved by the Missouri 911 service board and the voters, the county or city shall not subsequently increase the fee until the increased fee amount has been approved by the Missouri 911 service board and the voters under this section. Any county or city seeking to impose or increase a fee of more than one dollar shall submit to the Missouri 911 service board information to justify the fee amount. The information to be provided shall include, but not be limited to, the following:

- (1) Estimated costs of services to be provided;
- (2) Estimated revenue from all sources intended to financially support the proposed 911 service;
- (3) Prior revenue amounts and sources of financial support for the previously funded 911 or emergency dispatch service;
- (4) Efforts to secure revenue to support the proposed 911 service other than the proposed fee under this section;
- (5) Current level of 911 service provided and the proposed level of 911 service to be provided;
- (6) Any previous efforts regarding the consolidation of 911 services and any currently proposed efforts regarding the consolidation of 911 services; and
- (7) Expected level of training of personnel and expected number of telecommunications per shift.

10. The fee imposed under this section shall not be imposed in conjunction with any tax imposed under section 190.292, 190.305, 190.325, or 190.335. No county or city shall simultaneously impose more than one tax authorized in this section or section 190.292, 190.305, 190.325, or 190.335. No fee

imposed under this section shall be imposed on more than one hundred exchange access facilities or their equivalent per person per location.

11. No county shall submit a proposal to the voters of the county under this section or section 190.335 until the department of public safety has issued a state consolidation plan to the Missouri 911 service board and either:

(1) All providers of emergency telephone service as defined in section 190.300 and public safety answering point operations within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county; and

(2) The county develops a plan for consolidation of emergency telephone service as defined in section 190.300, and public safety answering point operations within the county are consolidated into one public agency as defined in section 190.300 that provides emergency telephone service for the county; or

(3) The county develops a plan for consolidation of emergency telephone service as defined in section 190.300 and public safety answering point operations within the county that includes either consolidation or entering into a shared services agreement for such services, which shall be implemented on approval of the fee by the voters.

12. Any plan developed under subdivision (2) or (3) of subsection 11 of this section shall be filed with the Missouri 911 service board under subsection 4 of section 650.330, and the board shall review the plan to ensure it is not inconsistent with the state consolidation plan issued under subsection 18 of this section. Any plan that is filed under this subsection shall provide for the establishment of a joint emergency communications board as described in section 70.260. The director of the department of revenue shall not remit any funds as provided under this section until the department receives notification from the Missouri 911 service board that the county has filed a plan that is ready for implementation and that the board has received the state consolidation plan issued under subsection 18 of this section. If after one year following the enactment of the fee described in subsection 1 of this section the county has not complied with the plan that the county submitted under subdivision (2) or (3) of subsection 11 of this section, but the county has substantially complied with the plan, then the Missouri 911 service board may grant the county an extension of up to six months to comply with its plan. Not more than one extension may be granted to a county. The authority to impose the fee granted to the county in subsection 1 of this section shall be null and void if after one year following the enactment of the fee described in subsection 1 of this section the county has not complied with the plan and has not been granted an extension by the Missouri 911 service board, or if the six-month extension expires and the county has not complied with the plan.

13. Each county that does not have a public agency as defined in section 190.300 that provides emergency telephone service as defined in section 190.300 for the county shall either:

(1) Enter into a shared services agreement for providing emergency telephone services with a public agency that provides emergency telephone service, if such an agreement is feasible; or

(2) Form with one or more counties an emergency telephone services district in conjunction with any county with a public agency that provides emergency telephone service within the county. If such a district is formed under this subdivision, the governing body of such district shall be the county commissioners of each county within the district, and each county within such district shall submit

to the voters of the county a proposal to impose the fee under this section.

14. A county operating joint or shared emergency telephone service as defined in section 190.300 may submit to the voters of the county a proposal to impose the fee to support joint operations and further consolidation under this section.

15. All 911 fees shall be imposed as provided in the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sections 116 to 124, as amended.

16. Nothing in subsections 11, 12, 13, and 14 of this section shall apply to a county with a charter form of government where all public safety answering points within the county utilize a common 911 communication service as implemented by the appropriate local and county agencies prior to August 28, 2017.

17. No county which contains any portion of a home rule city with more than four hundred thousand inhabitants and located in more than one county shall submit a proposal to the voters under this section until the county and the home rule city with more than four hundred thousand inhabitants and located in more than one county enter into an agreement for equitable sharing of revenue under this section and section 190.451.

18. By December 31, 2017, the department of public safety shall complete a study of the number of public safety answering points necessary to provide the best possible 911 technology and service to all areas of the state in the most efficient and economical manner possible, issue a state public safety answering point consolidation plan based on the study, and provide such plan to the Missouri 911 service board.

190.451. 1. As used in this section, the following terms mean:

(1) "Board", the Missouri 911 service board established under section 650.325;

(2) "Consumer", a person who purchases prepaid wireless telecommunications service in a retail transaction;

(3) "Department", the department of revenue;

(4) "Prepaid wireless service provider", a provider that provides prepaid wireless service to an end user;

(5) "Prepaid wireless telecommunications service", a wireless telecommunications service that allows a caller to dial 911 to access the 911 system and which service shall be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known amount;

(6) "Retail transaction", the purchase of prepaid wireless telecommunications service from a seller for any purpose other than resale. The purchase of more than one item that provides prepaid wireless telecommunication service, when such items are sold separately, constitutes more than one retail transaction;

(7) "Seller", a person who sells prepaid wireless telecommunications service to another person;

(8) "Wireless telecommunications service", commercial mobile radio service as defined by 47 CFR 20.3, as amended.

2. (1) Beginning January 1, 2018, there is hereby imposed a prepaid wireless emergency telephone service charge on each retail transaction. The amount of such charge shall be equal to three percent of each retail transaction. However, if a minimal amount of prepaid wireless telecommunications service is sold with a prepaid wireless device for a single nonitemized price, then the seller may elect not to apply such service charge to such transaction. For purposes of this subdivision, an amount of service denominated as ten or fewer minutes, or five dollars or less is minimal.

(2) The prepaid wireless emergency telephone service charge shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless emergency telephone service charge shall be either separately stated on an invoice, receipt, or other similar document that is provided to the consumer by the seller or otherwise disclosed to the consumer.

(3) For purposes of this subsection, a retail transaction that is effected in person by a consumer at a business location of the seller shall be treated as occurring in this state if that business location is in this state; and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state under state law.

(4) The prepaid wireless emergency telephone service charge is the liability of the consumer and not of the seller or of any provider; except that, the seller shall be liable to remit all charges that the seller is deemed to collect if the amount of the charge has not been separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller.

(5) The amount of the prepaid wireless emergency telephone service charge that is collected by a seller from a consumer, if such amount is separately stated on an invoice, receipt, or other similar document provided to the consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge, or other charge that is imposed by this state, any political subdivision of this state, or any intergovernmental agency.

3. (1) Prepaid wireless emergency telephone service charges collected by sellers shall be remitted to the department at the times and in the manner provided by state law with respect to sales and use taxes. The department shall establish registration and payment procedures that substantially coincide with the registration and payment procedures that apply under state law.

(2) Beginning on January 1, 2018, and ending on January 31, 2018, when a consumer purchases prepaid wireless telecommunications service in a retail transaction from a seller under this section, the seller shall be allowed to retain one hundred percent of the prepaid wireless emergency telephone service charges that are collected by the seller from the consumer. Beginning on February 1, 2018, a seller shall be permitted to deduct and retain three percent of prepaid wireless emergency telephone service charges that are collected by the seller from consumers.

(3) The department shall establish procedures by which a seller of prepaid wireless telecommunications service may document that a sale is not a retail transaction, which procedures shall substantially coincide with the procedures for documenting sale for resale transactions for sales and use purposes under state law.

(4) The department shall deposit all remitted prepaid wireless emergency telephone service charges into the general revenue fund for the department's use until eight hundred thousand one hundred fifty dollars is collected to reimburse its direct costs of administering the collection and

remittance of prepaid wireless emergency telephone service charges. From then onward, the department shall deposit all remitted prepaid wireless emergency telephone service charges into the Missouri 911 service trust fund created in section 190.420 within thirty days of receipt for use by the board. After the initial eight hundred thousand one hundred fifty dollars is collected, the department may deduct an amount not to exceed one percent of collected charges to be retained by the department to reimburse its direct costs of administering the collection and remittance of prepaid wireless emergency telephone service charges.

(5) The board shall set a rate between twenty-five and seventy-five percent of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund collected in counties without a charter form of government, less the deductions authorized in subdivision (4) of this subsection, that shall be remitted to such counties in direct proportion to the amount of charges collected in each county. The board shall set a rate between sixty-five and seventy-five percent of the prepaid wireless emergency telephone service charges deposited in the Missouri 911 service trust fund collected in counties with a charter form of government and any city not within a county, less the deductions authorized in subdivision (4) of this subsection, that shall be remitted to each such county or city not within a county in direct proportion to the amount of charges collected in each such county or city not within a county. The initial percentage rate set by the board for counties with and without a charter form of government and any city not within a county may be adjusted after three years, and thereafter the rate may be adjusted every two years; however, at no point shall the board set rates that fall below twenty-five percent for counties without a charter form of government and sixty-five percent for counties with a charter form of government and any city not within a county.

(6) Any amounts received by a county or city under subdivision (5) of this subsection shall be used only for purposes authorized in sections 190.305 and 190.335.

4. (1) A seller that is not a provider shall be entitled to the immunity and liability protections under section 190.450, notwithstanding any requirement in state law regarding compliance with Federal Communications Commission Order 05-116.

(2) A provider shall be entitled to the immunity and liability protections under section 190.450.

(3) In addition to the protection from liability provided in subdivisions (1) and (2) of this subsection, each provider and seller and its officers, employees, assigns, agents, vendors, or anyone acting on behalf of such persons shall be entitled to the further protection from liability, if any, that is provided to providers and sellers of wireless telecommunications service that is not prepaid wireless telecommunications service under section 190.450.

5. The prepaid wireless emergency telephone service charge imposed by this section shall be in addition to any other tax, fee, surcharge, or other charge imposed by this state, any political subdivision of this state, or any intergovernmental agency for 911 funding purposes, except that such prepaid wireless emergency telephone service charge shall be charged in lieu of, and not imposed in addition to, any tax imposed under sections 190.292 or 190.335.

6. The provisions of this section shall expire on December 31, 2024.

190.455. 1. In order to provide the best possible 911 technology and service to all areas of the state in the most efficient and economical manner possible, it is the public policy of this state to encourage the consolidation of emergency communications operations.

2. Any county, city, or 911 or emergency services board established under chapter 190 or under section 321.243 may contract and cooperate with any other county, city, or 911 or emergency services board established under chapter 190 or under section 321.243 as provided in sections 70.210 to 70.320. Any contracting counties or boards may seek assistance and advice from the Missouri 911 service board established in section 650.325 regarding the terms of the joint contract and the administration and operation of the contracting counties, cities, and boards.

3. If two or more counties, cities, 911 districts, or existing emergency communications entities desire to consolidate their emergency communications operations, a joint emergency communications entity may be established by the parties through an agreement identifying the conditions and provisions of the consolidation and the operation of the joint entity. This agreement may include the establishment of a joint governing body that may be comprised of the boards of the entities forming the agreement currently authorized by statute or an elected or appointed joint board authorized in section 70.260; provided that, the representation on the joint board of each of the entities forming the agreement shall be equal. If the entities entering into an agreement under this subsection decide that any 911 service center responsible for the answering of 911 calls and the dispatch of assistance shall be physically located in a county other than a county with the lowest average county wage from the set of counties where the entities entering into an agreement under this subsection are located in whole or part, then such entities shall provide a written reason for this decision to the Missouri 911 service board and such document shall be a public record under chapter 610. The county average wage comparison shall be conducted using the information from the Missouri department of economic development, which calculates such county average wages under section 135.950.

4. After August 28, 2017, no public safety answering point operation may be established as a result of its separation from an existing public safety answering point operation without a study by and the approval of the Missouri 911 service board.

5. No provision of this law shall be construed to prohibit or discourage in any manner the formation of multiagency or multijurisdictional public safety answering point operations.

190.460. 1. As an alternative to the procedure provided in section 190.455, two or more 911 central dispatch centers that are organized under sections 190.327 to 190.329 or section 190.335 and funded by public taxes may consolidate into one 911 central dispatch center by following the procedures set forth in this section.

2. If the consolidation of existing 911 central dispatch centers is desired, a number of voters residing in the existing 911 central dispatch centers' service areas equal to ten percent of the votes cast for governor in those service areas in the preceding gubernatorial election may file with the county clerk in which the territory or greater part of the proposed consolidated 911 central dispatch center service area will be situated a petition requesting consolidation of two or more 911 central dispatch centers.

3. The petition shall be in the following form:

"We, the undersigned voters residing in the service areas for the following 911 central dispatch centers, do hereby petition that the following existing 911 central dispatch centers be consolidated into one 911 central dispatch center."

4. An alternative procedure of consolidation may be followed if each of the boards of directors of

the existing 911 central dispatch centers passes a resolution in the following form:

“The board of directors of the 911 central dispatch center resolves that the and 911 central dispatch centers be consolidated into one consolidated 911 central dispatch center.”.

5. Upon the filing of a petition or resolution with the county clerk from each of the service areas of the 911 central dispatch centers to be consolidated, the clerk shall present the petition or resolution to the commissioners of the county commission having jurisdiction, who shall thereupon order the submission of the question to voters within the affected 911 central dispatch center service areas. The filing of a petition shall be no later than twelve months after any original voter’s signature contained therein.

6. The notice of election shall contain the names of the existing 911 central dispatch centers to be included in the consolidated 911 central dispatch center.

7. The question shall be submitted in substantially the following form:

“Shall the existing 911 central dispatch centers be consolidated into one 911 central dispatch center?”.

☐ YES

☐ NO

8. If the question of consolidation of the 911 central dispatch centers receives a majority of the votes cast in each service area, the county commissions having joint jurisdiction shall each enter an order declaring the proposition passed.

9. Within thirty days after the 911 central dispatch center has been declared consolidated, the respective county commissions having jurisdiction shall jointly meet to appoint a new seven-person board consisting of the agencies and professions listed in subsection 9 of section 190.335, and shall ensure geographic representation by appointing no more than four members from any one county having jurisdiction within the consolidated area for the newly consolidated 911 central dispatch center.

10. Within thirty days after the appointment of the initial board of directors of the newly consolidated 911 central dispatch center, the board of directors shall meet at a time and place designated by the county commissions. At the first meeting, the newly appointed board of directors shall choose a name for the consolidated 911 central dispatch center and shall notify the clerks of the county commission of each county within which the newly consolidated 911 central dispatch center’s service area now subsumes.

11. Starting with the April election in the year after the appointment of the initial board of directors, one member shall be subject to running at large as chair for a four-year term. Four members shall be selected by lot to run for two-year terms, and two members shall be selected by lot to run for four-year terms. Thereafter, all terms shall be four-year terms.

12. On the thirtieth day following the appointment of the initial board of directors, the existing 911 central dispatch centers shall cease to exist and the consolidated 911 central dispatch center shall assume all of the powers and duties exercised by the 911 central dispatch centers. All assets and obligations of the existing 911 central dispatch centers shall become the assets and obligations of the newly consolidated 911 central dispatch center.

13. In any county that has a single board established under chapter 190 or under section 321.243, if a consolidation under this section only affects existing 911 central dispatch centers located wholly within said county, then the existing board shall vote as to whether the existing board shall continue to exist. Upon a majority vote for approval of the existing board continuing to exist, subsections 9 to 12 of this section shall not apply, and the existing board shall continue to exist and have the powers set forth under the applicable section or sections within chapter 190 or under section 321.243. Upon a majority vote in disapproval of the existing board continuing to exist, all applicable subsections of this section shall apply to the consolidation. A tied vote shall be considered a disapproval of the existing board continuing to exist.

190.475. The director of the department of revenue shall maintain a centralized database, which shall be made available to the Missouri 911 service board established under section 650.325, specifying the current monthly fee or tax imposed by each county or city under section 190.292, 190.305, 190.325, 190.335, or 190.450. The database shall be updated no less than sixty days prior to the effective date of the establishment or modification of any monthly fee or tax listed in the database.

650.320. For the purposes of sections 650.320 to 650.340, the following terms mean:

(1) [“Committee”] **“Board”**, the [advisory committee for] **Missouri 911 service [oversight] board** established in section 650.325;

(2) “Public safety answering point”, the location at which 911 calls are [initially] answered;

(3) “Telecommunicator”, any person employed as an emergency telephone worker, call taker or public safety dispatcher whose duties include receiving, processing or transmitting public safety information received through a 911 public safety answering point.

650.325. There is hereby established within the department of public safety the [“Advisory Committee for 911 Service Oversight”] **“Missouri 911 Service Board”** which is charged with assisting and advising the state in ensuring the availability, implementation and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training, and education, **but shall have no authority over communications service providers as defined in section 190.400.** The [committee for 911 service oversight] **board** shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state, **including text to 911.”**; and

Further amend said bill, Pages 1-3, Section 650.330, Lines 1-72, by deleting all of said lines and inserting in lieu thereof the following:

“650.330. 1. The [committee for 911 service oversight] **board** shall consist of [sixteen] **fifteen** members, one of which shall be chosen from the department of public safety [who shall serve as chair of the committee and only vote in the instance of a tie vote among the other members], and the other members shall be selected as follows:

(1) One member chosen to represent an association domiciled in this state whose primary interest relates to [counties] **municipalities**;

(2) One member chosen to represent the Missouri [public service commission] **911 Directors Association**;

(3) One member chosen to represent emergency medical services **and physicians**;

(4) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to a national emergency number;

(5) One member chosen to represent an association whose primary interest relates to issues pertaining to fire chiefs;

(6) One member chosen to represent an association with a chapter domiciled in this state whose primary interest relates to issues pertaining to public safety communications officers;

(7) One member chosen to represent an association whose primary interest relates to issues pertaining to police chiefs;

(8) [One member chosen to represent a league or association domiciled in this state whose primary interest relates to issues pertaining to municipalities;

(9)] One member chosen to represent an association domiciled in this state whose primary interest relates to issues pertaining to sheriffs;

[(10)] **(9)** One member chosen to represent [911 service providers in] counties of the second, third, and fourth classification;

[(11)] **(10)** One member chosen to represent [911 service providers in] counties of the first classification, **counties** with [and without] a charter [forms] **form** of government, and cities not within a county;

[(12)] **(11)** One member chosen to represent telecommunications service providers [with at least one hundred thousand access lines located within Missouri];

[(13)] **(12)** One member chosen to represent **wireless** telecommunications service providers [with less than one hundred thousand access lines located within Missouri];

(14) One member chosen to represent a professional association of physicians who conduct with emergency care; and

(15) One member chosen to represent the general public of Missouri who represents an association whose primary interest relates to education and training, including that of 911, police and fire dispatchers; and];

(13) One member chosen to represent voice over internet protocol service providers; and

(14) One member chosen to represent the governor's council on disability established under section 37.735.

2. Each of the members of the [committee for 911 service oversight] **board** shall be appointed by the governor with the advice and consent of the senate for a term of four years[; except that, of those members first appointed, four members shall be appointed to serve for one year, four members shall be appointed to serve for two years, four members shall be appointed to serve for three years and four members shall be appointed to serve for four years]. Members of the committee may serve multiple terms. **No corporation or its affiliate shall have more than one officer, employee, assign, agent, or other representative serving as a member of the board. Notwithstanding subsection 1 of this section to the contrary, all**

members appointed as of August 28, 2017, shall continue to serve the remainder of their terms.

3. The [committee for 911 service oversight] **board** shall meet at least quarterly at a place and time specified by the chairperson of the [committee] **board** and it shall keep and maintain records of such meetings, as well as the other activities of the [committee] **board**. Members shall not be compensated but shall receive actual and necessary expenses for attending meetings of the [committee] **board**.

4. The [committee for 911 service oversight] **board** shall:

(1) Organize and adopt standards governing the [committee's] **board's** formal and informal procedures;

(2) Provide recommendations for primary answering points and secondary answering points on [statewide] technical and operational standards for 911 services;

(3) Provide recommendations to public agencies concerning model systems to be considered in preparing a 911 service plan;

(4) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that [such committee] **the board** shall not supersede decision-making authority of local political subdivisions in regard to 911 services;

(5) Provide assistance to the governor and the general assembly regarding 911 services;

(6) Review existing and proposed legislation and make recommendations as to changes that would improve such legislation;

(7) Aid and assist in the timely collection and dissemination of information relating to the use of a universal emergency telephone number;

(8) Perform other duties as necessary to promote successful development, implementation and operation of 911 systems across the state, **including monitoring federal and industry standards being developed for next generation 911 systems; [and]"; and**

Further amend said bill and section, Pages 3-4, Lines 75-90, by deleting all of said lines and inserting in lieu thereof the following:

"federal grants for 911 funding;

(10) [Advise the department of public safety on establishing rules and regulations necessary to administer the provisions of sections 650.320 to 650.340] **Elect the chair from its membership;**

(11) **Designate a state 911 coordinator who shall be responsible for overseeing statewide 911 operations and ensuring compliance with federal grants for 911 funding;**

(12) **Apply for and receive grants from federal, private, and other sources;**

(13) **Administer and authorize grants and loans under section 650.335 to those counties and any home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants that can demonstrate a financial commitment to improving 911 services by providing at least a fifty percent match and demonstrate the ability to operate and maintain ongoing 911 services. The purpose of grants and loans from the 911 service trust fund shall include:**

(a) Implementation of 911 services in counties of the state where services do not exist or to improve existing 911 systems;

(b) Promotion of consolidation where appropriate;

(c) Mapping and addressing all county locations;

(d) Ensuring primary access and texting abilities to 911 services for disabled residents; and

(e) Implementation of initial emergency medical dispatch services including prearrival medical instructions in counties where those services are not offered as of July 1, 2017;

(14) Develop an application process including reporting and accountability requirements, withholding a portion of the grant until completion of a project, and other measures to ensure funds are used in accordance with the law and purpose of the grant, then conduct audits as deemed necessary;

(15) Report to the governor and the general assembly at least every three years on the status of 911 services statewide, as well as specific efforts to improve efficiency, cost-effectiveness, and levels of service;

(16) Conduct and review an annual survey of public safety answering points in Missouri to evaluate potential for improved services, coordination, and feasibility of consolidation;

(17) Set the percentage rate of the prepaid wireless emergency telephone service charges to be remitted to a county or city as provided under subdivision (5) of subsection 3 of section 190.451;

(18) Make and execute contracts or any other instruments and agreements necessary or convenient for the exercise of its powers and functions;

(19) Approve a proposal of a county or city to impose a fee of more than one dollar under section 190.450;

(20) Retain in its records proposed county plans developed under subsection 11 of section 190.450 and notify the department of revenue that the county has filed a plan that is ready for implementation;

(21) Notify any communications service provider, as defined in section 190.400, that has voluntarily submitted its contact information when any update is made to the centralized database established under section 190.475 as a result of a county or city establishing or modifying a tax or monthly fee no less than ninety days prior to the effective date of the establishment or modification of the tax or monthly fee; and

(22) Develop a plan and timeline of target dates for the testing, implementation, and operation of a next generation 911 system throughout Missouri. The next generation 911 system shall allow for the processing of electronic messages including, but not limited to, electronic messages containing text, images, video, or data.

5. The department of public safety shall provide staff assistance to the [committee for 911 service oversight] **board** as necessary in order for the [committee] **board** to perform its duties pursuant to sections 650.320 to 650.340. **The board shall have the authority to hire consultants to administer the provisions of sections 650.320 to 650.340.**

6. The [department of public safety is authorized to adopt those] **board shall promulgate rules and regulations** that are reasonable and necessary [to accomplish the limited duties specifically delegated within section] **to implement and administer the provisions of sections 650.320 to 650.340.** Any rule or portion of a rule, as that term is defined in section 536.010, shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, [1999] **2017**, shall be invalid and void.

650.335. 1. Any county or any home rule city with more than fifteen thousand but fewer than seventeen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-seven thousand but fewer than forty-one thousand inhabitants, when the prepaid wireless emergency telephone service charge is collected in the county or city, may submit an application for loan funds or other financial assistance to the board for the purpose of financing all or a portion of the costs incurred in implementing a 911 communications service project. The application shall be accompanied by a technical assistance report. The application and the technical assistance report shall be in such form and contain such information, financial or otherwise, as prescribed by the board. This section shall not preclude any applicant or borrower from joining in a cooperative project with any other political subdivision or with any state or federal agency or entity in a 911 communications service project, provided that all other requirements of this section have been met.

2. Applications may be approved for loans only in those instances where the applicant has furnished the board information satisfactory to assure that the project cost will be recovered during the repayment period of the loan. In no case shall a loan be made to an applicant unless the approval of the governing body of the applicant to the loan agreement is obtained and a written certification of such approval is provided, where applicable. Repayment periods are to be determined by the board.

3. The board shall approve or disapprove all applications for loans which are sent by certified or registered mail or hand delivered and received by the board upon a schedule as determined by the board.

4. Each applicant to whom a loan has been made under this section shall repay such loan, with interest. The rate of interest shall be the rate required by the board. The number, amounts, and timing of the payments shall be as determined by the board.

5. Any applicant who receives a loan under this section shall annually budget an amount which is at least sufficient to make the payments required under this section.

6. Repayment of principal and interest on loans shall be credited to the Missouri 911 service trust fund established under section 190.420.

7. If a loan recipient fails to remit a payment to the board in accordance with this section within sixty days of the due date of such payment, the board shall notify the director of the department of revenue to deduct such payment amount from first, the prepaid wireless emergency telephone service charge remitted to the county or city under section 190.451; and if insufficient to affect repayment of the loan, next, the regular apportionment of local sales tax distributions to that county or city. Such

amount shall then immediately be deposited in the Missouri 911 service trust fund and credited to the loan recipient.

8. All applicants having received loans under this section shall remit the payments required by subsection 4 of this section to the board or such other entity as may be directed by the board. The board or such other entity shall immediately deposit such payments in the Missouri 911 service trust fund.

9. Loans made under this section shall be used only for the purposes specified in an approved application or loan agreement. In the event the board determines that loan funds have been expended for purposes other than those specified in an approved application or loan agreement or any event of default of the loan agreement occurs without resolution, the board shall take appropriate actions to obtain the return of the full amount of the loan and all moneys duly owed or other available remedies.

10. Upon failure of a borrower to remit repayment to the board within sixty days of the date a payment is due, the board may initiate collection or other appropriate action through the provisions outlined in subsection 7 of this section, if applicable.

11. If the borrower is an entity not covered under the collection procedures established in this section, the board, with the advice and consent of the attorney general, may initiate collection procedures or other appropriate action pursuant to applicable law.

12. The board may, at its discretion, audit the expenditure of any loan, grant, or expenditure made or the computation of any payments made.

650.340. 1. The provisions of this section may be cited and shall be known as the “911 Training and Standards Act”.

2. Initial training requirements for telecommunicators who answer 911 calls that come to public safety answering points shall be as follows:

- (1) Police telecommunicator, 16 hours;
- (2) Fire telecommunicator, 16 hours;
- (3) Emergency medical services telecommunicator, 16 hours;
- (4) Joint communication center telecommunicator, 40 hours.

3. All persons employed as a telecommunicator in this state shall be required to complete ongoing training so long as such person engages in the occupation as a telecommunicator. Such persons shall complete at least twenty-four hours of ongoing training every three years by such persons or organizations as provided in subsection 6 of this section. The reporting period for the ongoing training under this subsection shall run concurrent with the existing continuing education reporting periods for Missouri peace officers pursuant to chapter 590.

4. Any person employed as a telecommunicator on August 28, 1999, shall not be required to complete the training requirement as provided in subsection 2 of this section. Any person hired as a telecommunicator after August 28, 1999, shall complete the training requirements as provided in subsection 2 of this section within twelve months of the date such person is employed as a telecommunicator.

5. The training requirements as provided in subsection 2 of this section shall be waived for any person who furnishes proof to the committee that such person has completed training in another state which [are] **is** at least as stringent as the training requirements of subsection 2 of this section.

6. The [department of public safety] **board** shall determine by administrative rule the persons or organizations authorized to conduct the training as required by subsection 2 of this section.

7. This section shall not apply to an emergency medical dispatcher or agency as defined in section 190.100, or a person trained by an entity accredited or certified under section 190.131, or a person who provides prearrival medical instructions who works for an agency which meets the requirements set forth in section 190.134.

Section 1. The state auditor shall have the authority to conduct performance and fiscal audits of any board, dispatch center, joint emergency communications entity, or trust fund established under section 190.327, 190.328, 190.329, 190.335, 190.420, 190.455, 190.460, or 650.325.

[190.307. 1. No public agency or public safety agency, nor any officer, agent or employee of any public agency, shall be liable for any civil damages as a result of any act or omission except willful and wanton misconduct or gross negligence, in connection with developing, adopting, operating or implementing any plan or system required by sections 190.300 to 190.340.

2. No person who gives emergency instructions through a system established pursuant to sections 190.300 to 190.340 to persons rendering services in an emergency at another location, nor any persons following such instructions in rendering such services, shall be liable for any civil damages as a result of issuing or following the instructions, unless issuing or following the instructions constitutes willful and wanton misconduct, or gross negligence.]

[190.410. 1. There is hereby created in the department of public safety the “Wireless Service Provider Enhanced 911 Advisory Board”, consisting of eight members as follows:

(1) The director of the department of public safety or the director’s designee who shall hold a position of authority in such department of at least a division director;

(2) The chairperson of the public service commission or the chairperson’s designee; except that such designee shall be a commissioner of the public service commission or hold a position of authority in the commission of at least a division director;

(3) Three representatives and one alternate from the wireless service providers, elected by a majority vote of wireless service providers licensed to provide service in this state; and

(4) Three representatives from public safety answering point organizations, elected by the members of the state chapter of the associated public safety communications officials and the state chapter of the National Emergency Numbering Association.

2. Immediately after the board is established the initial term of membership for a member elected pursuant to subdivision (3) of subsection 1 of this section shall be one year and all subsequent terms for members so elected shall be two years. The membership term for a member elected pursuant to subdivision (4) of subsection 1 of this section shall initially and

subsequently be two years. Each member shall serve no more than two successive terms unless the member is on the board pursuant to subdivision (1) or (2) of subsection 1 of this section. Members of the board shall serve without compensation, however, the members may receive reimbursement of actual and necessary expenses. Any vacancies on the board shall be filled in the manner provided for in this subsection.

3. The board shall do the following:

(1) Elect from its membership a chair and other such officers as the board deems necessary for the conduct of its business;

(2) Meet at least one time per year for the purpose of discussing the implementation of Federal Communications Commission order 94-102;

(3) Advise the office of administration regarding implementation of Federal Communications Commission order 94-102; and

(4) Provide any requested mediation service to a political subdivision which is involved in a jurisdictional dispute regarding the providing of wireless 911 services. The board shall not supersede decision-making authority of any political subdivision in regard to 911 services.

4. The director of the department of public safety shall provide and coordinate staff and equipment services to the board to facilitate the board's duties.]

[190.430. 1. The commissioner of the office of administration is authorized to establish a fee, if approved by the voters pursuant to section 190.440, not to exceed fifty cents per wireless telephone number per month to be collected by wireless service providers from wireless service customers.

2. The office of administration shall promulgate rules and regulations to administer the provisions of sections 190.400 to 190.440. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in sections 190.400 to 190.440 shall become effective only if it has been promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated prior to July 2, 1998, is of no force and effect and repealed; however, nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to July 2, 1998, if it fully complied with the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 2, 1998, shall be invalid and void.

3. The office of administration is authorized to administer the fund and to distribute the moneys in the wireless service provider enhanced 911 service fund for approved expenditures as follows:

(1) For the reimbursement of actual expenditures for implementation of wireless enhanced 911 service by wireless service providers in implementing Federal Communications Commission order 94-102; and

(2) To subsidize and assist the public safety answering points based on a formula established by the office of administration, which may include, but is not limited to the following:

- (a) The volume of wireless 911 calls received by each public safety answering point;
- (b) The population of the public safety answering point jurisdiction;
- (c) The number of wireless telephones in a public safety answering point jurisdiction by zip code; and
- (d) Any other criteria found to be valid by the office of administration provided that of the total amount of the funds used to subsidize and assist the public safety answering points, at least ten percent of said funds shall be distributed equally among all said public safety answering points providing said services under said section;

(3) For the reimbursement of actual expenditures for equipment for implementation of wireless enhanced 911 service by public safety answering points to the extent that funds are available, provided that ten percent of funds distributed to public safety answering points shall be distributed in equal amounts to each public safety answering point participating in enhanced 911 service;

(4) Notwithstanding any other provision of the law, no proprietary information submitted pursuant to this section shall be subject to subpoena or otherwise released to any person other than to the submitting wireless service provider, without the express permission of said wireless service provider. General information collected pursuant to this section shall only be released or published in aggregate amounts which do not identify or allow identification of numbers of subscribers or revenues attributable to an individual wireless service provider.

4. Wireless service providers are entitled to retain one percent of the surcharge money they collect for administrative costs associated with billing and collection of the surcharge.

5. No more than five percent of the moneys in the fund, subject to appropriation by the general assembly, shall be retained by the office of administration for reimbursement of the costs of overseeing the fund and for the actual and necessary expenses of the board.

6. The office of administration shall review the distribution formula once every year and may adjust the amount of the fee within the limits of this section, as determined necessary.

7. The provisions of sections 190.307 and 190.308 shall be applicable to programs and services authorized by sections 190.400 to 190.440.

8. Notwithstanding any other provision of the law, in no event shall any wireless service provider, its officers, employees, assigns or agents, be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, an act or omission in the development, design, installation, operation, maintenance, performance or provision of 911 service or other emergency wireless two- and three-digit wireless numbers, unless said acts or omissions constitute gross negligence, recklessness or intentional misconduct. Nor shall any wireless service provider, its officers, employees, assigns, or agents be liable for any form of civil damages or criminal liability which directly or indirectly result from, or is caused by, the release of subscriber information to any

governmental entity as required under the provisions of this act unless the release constitutes gross negligence, recklessness or intentional misconduct.]

[190.440. 1. The office of administration shall not be authorized to establish a fee pursuant to the authority granted in section 190.430 unless a ballot measure is submitted and approved by the voters of this state. The ballot measure shall be submitted by the secretary of state for approval or rejection at the general election held and conducted on the Tuesday immediately following the first Monday in November, 1998, or at a special election to be called by the governor on the ballot measure. If the measure is rejected at such general or special election, the measure may be resubmitted at each subsequent general election, or may be resubmitted at any subsequent special election called by the governor on the ballot measure, until such measure is approved.

2. The ballot of the submission shall contain, but is not limited to, the following language:

Shall the Missouri Office of Administration be authorized to establish a fee of up to fifty cents per month to be charged every wireless telephone number for the purpose of funding wireless enhanced 911 service?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, then the office of administration shall be authorized to establish a fee pursuant to section 190.430, and the fee shall be effective on January 1, 1999, or the first day of the month occurring at least thirty days after the approval of the ballot measure. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are opposed to the measure, then the office of administration shall have no power to establish the fee unless and until the measure is approved.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 503, Page 1, Section A, Line 2, by inserting after all of said line the following:

"650.325. There is hereby established within the department of public safety the "Advisory Committee for 911 Service Oversight" which is charged with assisting and advising the state in ensuring the availability, implementation, and enhancement of a statewide emergency telephone number common to all jurisdictions through research, planning, training, and education. The committee for 911 service oversight shall represent all entities and jurisdictions before appropriate policy-making authorities and the general assembly and shall strive toward the immediate access to emergency services for all citizens of this state, **including text to 911.**"; and

Further amend said bill, Page 3, Section 650.330, Lines 61-64, by deleting all of said lines and inserting in lieu thereof the following:

"(4) Develop a plan and timeline of target dates for the testing, implementation, and operation of a next generation 911 system throughout Missouri. The next generation 911 system shall allow for

the processing of electronic messages including, but not limited to, electronic messages containing text, images, video, or data;

(5) Provide requested mediation services to political subdivisions involved in jurisdictional disputes regarding the provision of 911 services, except that such committee shall not supersede decision-making authority of local political subdivisions in regard to 911 services; “; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 503, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“190.103. 1. One physician with expertise in emergency medical services from each of the EMS regions shall be elected by that region’s EMS medical directors to serve as a regional EMS medical director. The regional EMS medical directors shall constitute the state EMS medical director’s advisory committee and shall advise the department and their region’s ambulance services on matters relating to medical control and medical direction in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The regional EMS medical director shall serve a term of four years. The southwest, northwest, and Kansas City regional EMS medical directors shall be elected to an initial two-year term. The central, east central, and southeast regional EMS medical directors shall be elected to an initial four-year term. All subsequent terms following the initial terms shall be four years. **The state EMS medical director shall be the chair of the state EMS medical director’s advisory committee.**

2. A medical director is required for all ambulance services and emergency medical response agencies that provide: advanced life support services; basic life support services utilizing medications or providing assistance with patients’ medications; or basic life support services performing invasive procedures including invasive airway procedures. The medical director shall provide medical direction to these services and agencies in these instances.

3. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall have the responsibility and the authority to ensure that the personnel working under their supervision are able to provide care meeting established standards of care with consideration for state and national standards as well as local area needs and resources. The medical director, in cooperation with the ambulance service or emergency medical response agency administrator, shall establish and develop triage, treatment and transport protocols, which may include authorization for standing orders.

4. All ambulance services and emergency medical response agencies that are required to have a medical director shall establish an agreement between the service or agency and their medical director. The agreement will include the roles, responsibilities and authority of the medical director beyond what is granted in accordance with sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245. The agreement shall also include grievance procedures regarding the emergency medical response agency or ambulance service, personnel and the medical director.

5. Regional EMS medical directors elected as provided under subsection 1 of this section shall be considered public officials for purposes of sovereign immunity, official immunity, and the Missouri public duty doctrine defenses.

6. The state EMS medical director's advisory committee shall be considered a peer review committee under section 537.035.

7. Regional EMS medical directors may act to provide online telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics and provide offline medical direction per standardized treatment, triage, and transport protocols when EMS personnel, including EMT-Bs, EMT-Is, EMT-Ps, and community paramedics, are providing care to special needs patients or at the request of a local EMS agency or medical director.

8. When developing treatment protocols for special needs patients, regional EMS medical directors may promulgate such protocols on a regional basis across multiple political subdivisions' jurisdictional boundaries, and such protocols may be used by multiple agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments. Treatment protocols shall include steps to ensure the receiving hospital is informed of the pending arrival of the special needs patient, the condition of the patient, and the treatment instituted.

9. Multiple EMS agencies including, but not limited to, ambulance services, emergency response agencies, and public health departments shall take necessary steps to follow the regional EMS protocols established as provided under subsection 8 of this section in cases of mass casualty or state-declared disaster incidents.

10. When regional EMS medical directors develop and implement treatment protocols for patients or provide online medical direction for patients, such activity shall not be construed as having usurped local medical direction authority in any manner.

11. Notwithstanding any other provision of law, when regional EMS medical directors are providing either online telecommunication medical direction to EMT-Bs, EMT-Is, EMT-Ps, and community paramedics, or offline medical direction per standardized EMS treatment, triage, and transport protocols for patients, those medical directions or treatment protocols may include the administration of the patient's own prescription medications.

190.144. **1.** No emergency medical technician licensed under section 190.142 or 190.143, if acting in good faith and without gross negligence, shall be liable for:

(1) Transporting a person for whom an application for detention for evaluation and treatment has been filed under section 631.115 or 632.305; [or]

(2) Physically or chemically restraining an at-risk behavioral health patient as that term is defined under section 190.240 if such restraint is to ensure the safety of the patient or technician; **or**

(3) The administration of a patient's personal medication when deemed necessary.

2. Nothing in this section shall be construed as creating an exception to sovereign immunity, official immunity, or the Missouri public duty doctrine defenses.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 355**, relating to higher education, entitled:

An Act to repeal sections 226.520, 226.540, and 226.550, RSMo, and to enact in lieu thereof four new sections relating to road signs.

With House Amendment No. 1, House Amendment No. 2, House Substitute Amendment No. 1 for House Amendment No. 3 and House Amendment No. 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 1, Section A, Line 3, by inserting after all of said section and line the following:

“163.191. 1. As used in this section, the following terms shall mean:

(1) “Community college”, an institution of higher education deriving financial resources from local, state, and federal sources, and providing postsecondary education primarily for persons above the twelfth grade age level, including courses in:

- (a) Liberal arts and sciences, including general education;
- (b) Occupational, vocational-technical; and
- (c) A variety of educational community services.

Community college course offerings **shall generally** lead to the granting of certificates, diplomas, or associate degrees, [but do not] **and may** include baccalaureate [or higher] degrees **only when authorized by the coordinating board for higher education in circumstances where the level of education required in a field for accreditation or licensure increases to the baccalaureate degree level or, in the case of applied bachelor’s degrees, the level of education required for employment in a field increases to that level, and when doing so would not unnecessarily duplicate an existing program, collaboration with a university is not feasible or the approach is not a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. Quality for such baccalaureate degree programs shall be evaluated at least in part by the delivery of upper-level coursework or competencies, and defined by accreditation or compliance with the Higher Learning Commission standards for bachelor’s degrees;**

(2) “Operating costs”, all costs attributable to current operations, including all direct costs of instruction, instructors’ and counselors’ compensation, administrative costs, all normal operating costs and all similar noncapital expenditures during any year, excluding costs of construction of facilities and the purchase of equipment, furniture, and other capital items authorized and funded in accordance with subsection 6 of this section. Operating costs shall be computed in accordance with accounting methods and procedures to be specified by the department of higher education;

(3) “Year”, from July first to June thirtieth of the following year.

2. Each year public community colleges in the aggregate shall be eligible to receive from state funds, if state funds are available and appropriated, an amount up to but not more than fifty percent of the state community colleges’ planned operating costs as determined by the department of higher education. The department of higher education shall review all institutional budget requests and prepare appropriation

recommendations annually for the community colleges under the supervision of the department. The department's budget request shall include a recommended level of funding.

3. (1) Except as provided in subdivision (2) of this subsection, distribution of appropriated funds to community college districts shall be in accordance with the community college resource allocation model. This model shall be developed and revised as appropriate cooperatively by the community colleges and the department of higher education. The department of higher education shall recommend the model to the coordinating board for higher education for their approval. The core funding level for each community college shall initially be established at an amount agreed upon by the community colleges and the department of higher education. This amount will be adjusted annually for inflation, limited growth, and program improvements in accordance with the resource allocation model starting with fiscal year 1993.

(2) Unless the general assembly chooses to otherwise appropriate state funding, beginning in fiscal year 2016, at least ninety percent of any increase in core funding over the appropriated amount for the previous fiscal year shall be distributed in accordance with the achievement of performance-funding measures under section 173.1006.

4. The department of higher education shall be responsible for evaluating the effectiveness of the resource allocation model and shall submit a report to the governor, the joint committee on education, the speaker of the house of representatives and president pro tempore of the senate by October 31, 2019, and every four years thereafter.

5. The department of higher education shall request new and separate state aid funds for any new community college district for its first six years of operation. The request for the new district shall be based upon the same level of funding being provided to the existing districts, and should be sufficient to provide for the growth required to reach a mature enrollment level.

6. In addition to state funds received for operating purposes, each community college district shall be eligible to receive an annual appropriation, exclusive of any capital appropriations, for the cost of maintenance and repair of facilities and grounds, including surface parking areas, and purchases of equipment and furniture. Such funds shall not exceed in any year an amount equal to ten percent of the state appropriations, exclusive of any capital appropriations, to community college districts for operating purposes during the most recently completed fiscal year. The department of higher education may include in its annual appropriations request the necessary funds to implement the provisions of this subsection and when appropriated shall distribute the funds to each community college district as appropriated. The department of higher education appropriations request shall be for specific maintenance, repair, and equipment projects at specific community college districts, shall be in an amount of fifty percent of the cost of a given project as determined by the coordinating board and shall be only for projects which have been approved by the coordinating board through a process of application, evaluation, and approval as established by the coordinating board. The coordinating board, as part of its process of application, evaluation, and approval, shall require the community college district to provide proof that the fifty-percent share of funding to be defrayed by the district is either on hand or committed for maintenance, repair, and equipment projects. Only salaries or portions of salaries paid which are directly related to approved projects may be used as a part of the fifty-percent share of funding.

7. School districts offering two-year college courses pursuant to section 178.370 on October 31, 1961, shall receive state aid pursuant to subsection 2, subdivision (1) of subsection 3, and subsection 6 of this section if all scholastic standards established pursuant to sections 178.770 to 178.890 are met.

8. In order to make postsecondary educational opportunities available to Missouri residents who do not reside in an existing community college district, community colleges organized pursuant to section 178.370 or sections 178.770 to 178.890 shall be authorized pursuant to the funding provisions of this section to offer courses and programs outside the community college district with prior approval by the coordinating board for higher education. The classes conducted outside the district shall be self-sustaining except that the coordinating board shall promulgate rules to reimburse selected out-of-district instruction only where prior need has been established in geographical areas designated by the coordinating board for higher education. Funding for such off-campus instruction shall be included in the appropriation recommendations, shall be determined by the general assembly and shall continue, within the amounts appropriated therefor, unless the general assembly disapproves the action by concurrent resolution.

9. When distributing state aid authorized for community colleges, the state treasurer may, in any year if requested by a community college, disregard the provision in section 30.180 requiring the state treasurer to convert the warrant requesting payment into a check or draft and wire transfer the amount to be distributed to the community college directly to the community college's designated deposit for credit to the community college's account.

172.280. The curators shall have the authority to confer, by diploma, under their common seal, on any person whom they may judge worthy thereof, such degrees as are known to and usually granted by any college or university. **The University of Missouri is the state's only public research university and the exclusive grantor of research doctorates. As such, except as provided in section 175.040, the University of Missouri shall be the only state college or university that may offer doctor of philosophy degrees or first-professional degrees, including chiropractic, dentistry, law, medicine, optometry, osteopathic medicine, pharmacy, podiatry, and veterinary medicine.**

173.005. 1. There is hereby created a "Department of Higher Education", and the division of higher education of the department of education is abolished and all its powers, duties, functions, personnel and property are transferred as provided by the Reorganization Act of 1974, Appendix B, RSMo.

2. The commission on higher education is abolished and all its powers, duties, personnel and property are transferred by type I transfer to the "Coordinating Board for Higher Education", which is hereby created, and the coordinating board shall be the head of the department. The coordinating board shall consist of nine members appointed by the governor with the advice and consent of the senate, and not more than five of its members shall be of the same political party. None of the members shall be engaged professionally as an educator or educational administrator with a public or private institution of higher education at the time appointed or during his term. Moreover, no person shall be appointed to the coordinating board who shall not be a citizen of the United States, and who shall not have been a resident of the state of Missouri two years next prior to appointment, and at least one but not more than two persons shall be appointed to said board from each congressional district. The term of service of a member of the coordinating board shall be six years and said members, while attending the meetings of the board, shall be reimbursed for their actual expenses. Notwithstanding any provision of law to the contrary, nothing in this section relating to a change in the composition and configuration of congressional districts in this state shall prohibit a member who is serving a term on August 28, 2011, from completing his or her term. The coordinating board may, in order to carry out the duties prescribed for it in subsections 1, 2, 3, 7, and 8 of this section, employ such professional, clerical and research personnel as may be necessary to assist it in performing those duties, but this staff shall not, in any fiscal year, exceed twenty-five full-time equivalent employees regardless of the source of funding. In addition to all other powers, duties and functions transferred to it, the coordinating

board for higher education shall have the following duties and responsibilities:

(1) The coordinating board for higher education [shall have approval of] **may approve, not approve, or provisionally approve** proposed new degree programs to be offered by the state institutions of higher education. **The coordinating board may authorize a degree program outside an institution's coordinating board-approved mission only when the coordinating board has received clear evidence that the institution proposing to offer the program:**

(a) Made a good-faith effort to explore the feasibility of offering the program in collaboration with an institution the mission of which includes offering the program;

(b) Is contributing substantially to the goals in the coordinating board's coordinated plan for higher education;

(c) Has the existing capacity to ensure the program is delivered in a high-quality manner;

(d) Has demonstrated that the proposed program is needed;

(e) Has a clear plan to meet the articulated workforce need; and

(f) Such other factors deemed relevant by the coordinating board;

(2) The coordinating board for higher education may promote and encourage the development of cooperative agreements between Missouri public four-year institutions of higher education which do not offer graduate degrees and Missouri public four-year institutions of higher education which do offer graduate degrees for the purpose of offering graduate degree programs on campuses of those public four-year institutions of higher education which do not otherwise offer graduate degrees. Such agreements shall identify the obligations and duties of the parties, including assignment of administrative responsibility. Any diploma awarded for graduate degrees under such a cooperative agreement shall include the names of both institutions inscribed thereon. Any cooperative agreement in place as of August 28, 2003, shall require no further approval from the coordinating board for higher education. Any costs incurred with respect to the administrative provisions of this subdivision may be paid from state funds allocated to the institution assigned the administrative authority for the program. The provisions of this subdivision shall not be construed to invalidate the provisions of subdivision (1) of this subsection;

(3) In consultation with the heads of the institutions of higher education affected and against a background of carefully collected data on enrollment, physical facilities, manpower needs, institutional missions, the coordinating board for higher education shall establish guidelines for appropriation requests by those institutions of higher education; however, other provisions of the Reorganization Act of 1974 notwithstanding, all funds shall be appropriated by the general assembly to the governing board of each public four-year institution of higher education which shall prepare expenditure budgets for the institution;

(4) No new state-supported senior colleges or residence centers shall be established except as provided by law and with approval of the coordinating board for higher education;

(5) The coordinating board for higher education shall establish admission guidelines consistent with institutional missions;

(6) The coordinating board for higher education shall require all public two-year and four-year higher education institutions to replicate best practices in remediation identified by the coordinating board and institutions from research undertaken by regional educational laboratories, higher education research

organizations, and similar organizations with expertise in the subject, and identify and reduce methods that have been found to be ineffective in preparing or retaining students or that delay students from enrollment in college-level courses;

(7) The coordinating board shall establish policies and procedures for institutional decisions relating to the residence status of students;

(8) The coordinating board shall establish guidelines to promote and facilitate the transfer of students between institutions of higher education within the state and, with the assistance of the committee on transfer and articulation, shall require all public two-year and four-year higher education institutions to create by July 1, 2014, a statewide core transfer library of at least twenty-five lower division courses across all institutions that are transferable among all public higher education institutions. The coordinating board shall establish policies and procedures to ensure such courses are accepted in transfer among public institutions and treated as equivalent to similar courses at the receiving institutions. The coordinating board shall develop a policy to foster reverse transfer for any student who has accumulated enough hours in combination with at least one public higher education institution in Missouri that offers an associate degree and one public four-year higher education institution in the prescribed courses sufficient to meet the public higher education institution's requirements to be awarded an associate degree. The department of elementary and secondary education shall maintain the alignment of the assessments found in section 160.518 and successor assessments with the competencies previously established under this subdivision for entry-level collegiate courses in English, mathematics, foreign language, sciences, and social sciences associated with an institution's general education core;

(9) The coordinating board shall collect the necessary information and develop comparable data for all institutions of higher education in the state. The coordinating board shall use this information to delineate the areas of competence of each of these institutions and for any other purposes deemed appropriate by the coordinating board;

(10) Compliance with requests from the coordinating board for institutional information and the other powers, duties and responsibilities, herein assigned to the coordinating board, shall be a prerequisite to the receipt of any funds which the coordinating board is responsible for administering;

(11) If any institution of higher education in this state, public or private, willfully fails or refuses to follow any lawful guideline, policy or procedure established or prescribed by the coordinating board, or knowingly deviates from any such guideline, or knowingly acts without coordinating board approval where such approval is required, or willfully fails to comply with any other lawful order of the coordinating board, the coordinating board may, after a public hearing, withhold or direct to be withheld from that institution any funds the disbursement of which is subject to the control of the coordinating board, or may remove the approval of the institution as an approved institution within the meaning of section 173.1102. If any such public institution willfully disregards board policy, the commissioner of higher education may order such institution to remit a fine in an amount not to exceed one percent of the institution's current fiscal year state operating appropriation to the board. The board shall hold such funds until such time that the institution, as determined by the commissioner of higher education, corrects the violation, at which time the board shall refund such amount to the institution. If the commissioner determines that the institution has not redressed the violation within one year, the fine amount shall be deposited into the general revenue fund, unless the institution appeals such decision to the full coordinating board, which shall have the authority to make a binding and final decision, by means of a majority vote, regarding the matter. However, nothing in this

section shall prevent any institution of higher education in this state from presenting additional budget requests or from explaining or further clarifying its budget requests to the governor or the general assembly;

(12) In recognition of institutions that meet the requirements of subdivision (2), (3), or (4) of subsection 1 of section 173.616, are established by name as an educational institution in Missouri, and are authorized to operate programs beyond secondary education for purposes of authorization under 34 CFR 600.9, the coordinating board for higher education shall maintain and publish on its website a list of such postsecondary educational institutions; and

(13) (a) As used in this subdivision, the term “out-of-state public institution of higher education” shall mean an education institution located outside of Missouri that:

- a. Is controlled or administered directly by a public agency or political subdivision or is classified as a public institution by the state;
- b. Receives appropriations for operating expenses directly or indirectly from a state other than Missouri;
- c. Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;
- d. Meets the standards for accreditation by an accrediting body recognized by the United States Department of Education or any successor agency; and
- e. Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source.

(b) No later than July 1, 2008, the coordinating board shall promulgate rules regarding:

a. The board’s approval process of proposed new degree programs and course offerings by any out-of-state public institution of higher education seeking to offer degree programs or course work within the state of Missouri; and

b. The board’s approval process of degree programs and courses offered by any out-of-state public institutions of higher education that, prior to July 1, 2008, were approved by the board to operate a school in compliance with the provisions of sections 173.600 to 173.618. The rules shall ensure that, as of July 1, 2008, all out-of-state public institutions seeking to offer degrees and courses within the state of Missouri are evaluated in a manner similar to Missouri public higher education institutions. Such out-of-state public institutions shall be held to standards no lower than the standards established by the coordinating board for program approval and the policy guidelines of the coordinating board for data collection, cooperation, and resolution of disputes between Missouri institutions of higher education under this section. Any such out-of-state public institutions of higher education wishing to continue operating within this state must be approved by the board under the rules promulgated under this subdivision. The coordinating board may charge and collect fees from out-of-state public institutions to cover the costs of reviewing and assuring the quality of programs offered by out-of-state public institutions. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly under chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

(c) Nothing in this subdivision or in section 173.616 shall be construed or interpreted so that students attending an out-of-state public institution are considered to be attending a Missouri public institution of higher education for purposes of obtaining student financial assistance.

3. The coordinating board shall meet at least four times annually with an advisory committee who shall be notified in advance of such meetings. The coordinating board shall have exclusive voting privileges. The advisory committee shall consist of thirty-two members, who shall be the president or other chief administrative officer of the University of Missouri; the chancellor of each campus of the University of Missouri; the president of each state-supported four-year college or university, including Harris-Stowe State University, Missouri Southern State University, Missouri Western State University, and Lincoln University; the president of State Technical College of Missouri; the president or chancellor of each public community college district; and representatives of each of five accredited private institutions selected biennially, under the supervision of the coordinating board, by the presidents of all of the state's privately supported institutions; but always to include at least one representative from one privately supported community college, one privately supported four-year college, and one privately supported university. The conferences shall enable the committee to advise the coordinating board of the views of the institutions on matters within the purview of the coordinating board.

4. The University of Missouri, Lincoln University, and all other state-governed colleges and universities, chapters 172, 174, 175, and others, are transferred by type III transfers to the department of higher education subject to the provisions of subsection 2 of this section.

5. The state historical society, chapter 183, is transferred by type III transfer to the University of Missouri.

6. The state anatomical board, chapter 194, is transferred by type II transfer to the department of higher education.

7. All the powers, duties and functions vested in the division of public schools and state board of education relating to community college state aid and the supervision, formation of districts and all matters otherwise related to the state's relations with community college districts and matters pertaining to community colleges in public school districts, chapters 163, 178, and others, are transferred to the coordinating board for higher education by type I transfer. Provided, however, that all responsibility for administering the federal-state programs of vocational-technical education, except for the 1202a postsecondary educational amendments of 1972 program, shall remain with the department of elementary and secondary education. The department of elementary and secondary education and the coordinating board for higher education shall cooperate in developing the various plans for vocational-technical education; however, the ultimate responsibility will remain with the state board of education.

8. All the powers, duties, functions, and properties of the state poultry experiment station, chapter 262, are transferred by type I transfer to the University of Missouri, and the state poultry association and state poultry board are abolished. In the event the University of Missouri shall cease to use the real estate of the poultry experiment station for the purposes of research or shall declare the same surplus, all real estate shall revert to the governor of the state of Missouri and shall not be disposed of without legislative approval.

174.160. The board of regents of each state college and each state teachers college shall have power and authority to confer upon students, by diploma under the common seal, such degrees as are usually granted by such colleges, **and additional degrees only when authorized by the coordinating board for higher**

education in circumstances in which offering such degree would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. In the case of nonresearch doctoral degrees in allied health professions, an institution may be authorized to offer such degree independently if offering it in collaboration with another institution would not increase the quality of the program or allow it to be delivered more efficiently. Such boards shall have the power and authority to confer degrees in engineering only in collaboration with the University of Missouri, provided that such collaborative agreements are approved by the governing board of each institution and that in these instances the University of Missouri will be the degree-granting institution. Should the University of Missouri decline to collaborate in the offering of such programs, one of these institutions may seek approval of the program through the coordinating board for higher education's comprehensive review process when doing so would not unnecessarily duplicate an existing program, collaboration is not feasible or a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner.

174.225. [Missouri State University] **No state college or university** shall [not] seek the land grant designation held by Lincoln University and the University of Missouri [nor shall Missouri State University seek] **or** the research designation currently held by the University of Missouri. [Missouri State University shall offer engineering programs and doctoral programs only in cooperation with the University of Missouri; provided that such cooperative agreements are approved by the governing boards of each institution and that in these instances the University of Missouri shall be the degree-granting institution. Should the University of Missouri decline to cooperate in the offering of such programs within one year of the formal approval of the coordinating board, Missouri State University may cooperate with another educational institution, or directly offer the degree. In all cases, the offering of such degree programs shall be subject to the approval of the coordinating board for higher education, or any other higher education governing authority that may replace it. Missouri State University may offer doctoral programs in audiology and physical therapy. Missouri State University shall neither offer nor duplicate the professional programs at the University of Missouri including, without limitation, those that train medical doctors, pharmacists, dentists, veterinarians, optometrists, lawyers, and architects. The alteration of the name of Southwest Missouri State University to Missouri State University shall not entitle Missouri State University to any additional state funding.]

174.231. 1. On and after August 28, 2005, the institution formerly known as Missouri Southern State College located in Joplin, Jasper County, shall be known as "Missouri Southern State University". Missouri Southern State University is hereby designated and shall hereafter be operated as a statewide institution of international or global education. The Missouri Southern State University is hereby designated a moderately selective institution which shall provide associate degree programs except as provided in subsection 2 of this section, baccalaureate degree programs, and graduate degree programs pursuant to subdivisions (1) and (2) of subsection 2 of section 173.005. The institution shall develop such academic support programs and public service activities it deems necessary and appropriate to establish international or global education as a distinctive theme of its mission. [Consistent with the provisions of section 174.324, Missouri Southern State University is authorized to offer master's level degree programs in accountancy, subject to the approval of the coordinating board for higher education as provided in subdivision (1) of subsection 2 of section 173.005.]

2. As of July 1, 2008, Missouri Southern State University shall discontinue any and all associate degree programs unless the continuation of such associate degree programs is approved by the coordinating board for higher education pursuant to subdivision (1) of subsection 2 of section 173.005.

174.251. 1. On and after August 28, 2005, the institution formerly known as Missouri Western State College at St. Joseph, Buchanan County, shall hereafter be known as the “Missouri Western State University”. Missouri Western State University is hereby designated and shall hereafter be operated as a statewide institution of applied learning. The Missouri Western State University is hereby designated an open enrollment institution which shall provide associate degree programs except as provided in subsection 2 of this section, baccalaureate degree programs, and graduate degree programs pursuant to subdivisions (1) and (2) of subsection 2 of section 173.005. The institution shall develop such academic support programs as it deems necessary and appropriate to an open enrollment institution with a statewide mission of applied learning. [Consistent with the provisions of section 174.324, Missouri Western State University is authorized to offer master’s level degree programs in accountancy, subject to the approval of the coordinating board for higher education as provided in subdivision (1) of subsection 2 of section 173.005.]

2. As of July 1, 2010, Missouri Western State University shall discontinue any and all associate degree programs unless the continuation of such associate degree program is approved by the coordinating board for higher education pursuant to subdivision 2 of section 173.005.

174.500. 1. The board of governors of Missouri State University is authorized to continue the program of higher education at West Plains, Missouri, which was begun in 1963 and which shall be known as the “West Plains Campus of Missouri State University”. Missouri State University may include an appropriation request for the branch facility at West Plains in its operating budget.

2. The coordinating board for higher education in cooperation with the board of governors shall develop a mission implementation plan for the campus at West Plains, Howell County, which is known as the “West Plains Campus of Missouri State University”, and which shall be a teaching institution, offering one-year certificates, two-year associate degrees and credit and noncredit courses to both traditional and nontraditional students to meet the ongoing and emerging employer and educational needs of the citizens of the area served. **The West Plains campus of Missouri State University may offer baccalaureate degrees only when authorized by the coordinating board for higher education in circumstances where the level of education required in a field for accreditation or licensure increases to the baccalaureate degree level or, in the case of applied bachelor’s degrees, the level of education required for employment in a field increases to that level, and when doing so would not unnecessarily duplicate an existing program, collaboration with a university is not feasible or the approach is not a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. Quality for such baccalaureate degree programs shall be evaluated at least in part by delivery of upper-level coursework or competencies, and defined by accreditation or compliance with the Higher Learning Commission standards for bachelor’s degrees.**

178.636. 1. State Technical College of Missouri shall be a special purpose institution that shall make available to students from all areas of the state exceptional educational opportunities through highly specialized and advanced technical education and training at the certificate and associate degree level in both emerging and traditional technologies with particular emphasis on technical and vocational programs not commonly offered by community colleges or area vocational technical schools. Primary consideration

shall be placed on the industrial and technological manpower needs of the state. In addition, State Technical College of Missouri is authorized to assist the state in economic development initiatives and to facilitate the transfer of technology to Missouri business and industry directly through the graduation of technicians in advanced and emerging disciplines and through technical assistance provided to business and industry. State Technical College of Missouri is authorized to provide technical assistance to area vocational technical schools and community colleges through supplemental on-site instruction and distance learning as such area vocational technical schools and community colleges deem appropriate.

2. Consistent with the mission statement provided in subsection 1 of this section, State Technical College of Missouri shall offer vocational and technical programs leading to the granting of certificates, diplomas, and applied science associate degrees, or a combination thereof[, but not including]. **State Technical College of Missouri may offer associate of arts or baccalaureate [or higher] degrees only when authorized by the coordinating board for higher education in circumstances where the level of education required in a field for accreditation or licensure increases to the baccalaureate degree level or, in the case of applied bachelor's degrees, the level of education required for employment in a field increases to that level, and when doing so would not unnecessarily duplicate an existing program, collaboration with a university is not feasible or the approach is not a viable means of meeting the needs of students and employers, and the institution has the academic and financial capacity to offer the program in a high-quality manner. Quality for such baccalaureate degree programs shall be evaluated at least in part by delivery of upper-level coursework or competencies, and defined by accreditation or compliance with the Higher Learning Commission standards for bachelor's degrees.** State Technical College of Missouri shall also continue its role as a recognized area vocational technical school as provided by policies and procedures of the state board of education.”; and

Further amend said bill, Page 9, Section 227.447, Line 6, by inserting after all of said section and line the following:

“[174.324. 1. Notwithstanding any law to the contrary, Missouri Western State University and Missouri Southern State University may offer master's degrees in accounting, subject to any terms and conditions of the Missouri state board of accountancy applicable to any other institution of higher education in this state which offers such degrees, and subject to approval of the coordinating board for higher education.

2. Any new master's degree program offered at Missouri Southern State University, Missouri Western State University, or any other public institution of higher education in this state must be approved by the coordinating board for higher education pursuant to the provisions of subdivision (1) or (2) of subsection 2 of section 173.005.]”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 9, Section 227.447, Line 6, by inserting immediately after all of said section and line the following:

“332.081. 1. No person or other entity shall practice dentistry in Missouri or provide dental services as defined in section 332.071 unless and until the board has issued to the person a certificate certifying that the person has been duly registered as a dentist in Missouri or **the board has issued such certificate** to an entity that has been duly registered to provide dental services by licensed dentists and dental hygienists and

unless and until the board has issued to the person a license, to be renewed each period, as provided in this chapter, to practice dentistry or as a dental hygienist, or has issued to the person or entity a permit, to be renewed each period, to provide dental services in Missouri. Nothing in this chapter shall be so construed as to make it unlawful for:

(1) A legally qualified physician or surgeon, who does not practice dentistry as a specialty, from extracting teeth;

(2) A dentist licensed in a state other than Missouri from making a clinical demonstration before a meeting of dentists in Missouri;

(3) Dental students in any accredited dental school to practice dentistry under the personal direction of instructors;

(4) Dental hygiene students in any accredited dental hygiene school to practice dental hygiene under the personal direction of instructors;

(5) A duly registered and licensed dental hygienist in Missouri to practice dental hygiene as defined in section 332.091;

(6) A dental assistant, certified dental assistant, or expanded functions dental assistant to be delegated duties as defined in section 332.093;

(7) A duly registered dentist or dental hygienist to teach in an accredited dental or dental hygiene school;

(8) A person who has been granted a dental faculty permit under section 332.183 to practice dentistry in the scope of his or her employment at an accredited dental school, college, or program in Missouri;

(9) A duly qualified anesthesiologist or nurse anesthetist to administer an anesthetic in connection with dental services or dental surgery; [or]

[(9)] (10) A person to practice dentistry in or for:

(a) The United States Armed Forces;

(b) The United States Public Health Service;

(c) Migrant, community, or health care for the homeless health centers provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b));

(d) Federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act;

(e) Governmental entities, including county health departments; or

(f) The United States Veterans Bureau; or

[(10)] (11) A dentist licensed in a state other than Missouri to evaluate a patient or render an oral, written, or otherwise documented dental opinion when providing testimony or records for the purpose of a civil or criminal action before any judicial or administrative proceeding of this state or other forum in this state.

2. No corporation shall practice dentistry as defined in section 332.071 unless that corporation is

organized under the provisions of chapter 355 or 356 provided that a corporation organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3) may only employ dentists and dental hygienists licensed in this state to render dental services to Medicaid recipients, low-income individuals who have available income below two hundred percent of the federal poverty level, and all participants in the SCHIP program, unless such limitation is contrary to or inconsistent with federal or state law or regulation. This subsection shall not apply to:

(1) A hospital licensed under chapter 197 that provides care and treatment only to children under the age of eighteen at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(2) A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396(d)(l)), or a migrant, community, or health care for the homeless health center provided for in Section 330 of the Public Health Services Act (42 U.S.C. 254(b)) at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(3) A city or county health department organized under chapter 192 or chapter 205 at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(4) A social welfare board organized under section 205.770, a city health department operating under a city charter, or a city-county health department at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(5) Any entity that has received a permit from the dental board and does not receive compensation from the patient or from any third party on the patient's behalf at which a person regulated under this chapter provides dental care within the scope of his or her license or registration;

(6) Any hospital nonprofit corporation exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, as amended, that engages in its operations and provides dental services at facilities owned by a city, county, or other political subdivision of the state at which a person regulated under this chapter provides dental care within the scope of his or her license or registration.

If any of the entities exempted from the requirements of this subsection are unable to provide services to a patient due to the lack of a qualified provider and a referral to another entity is made, the exemption shall extend to the person or entity that subsequently provides services to the patient.

3. No unincorporated organization shall practice dentistry as defined in section 332.071 unless such organization is exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and provides dental treatment without compensation from the patient or any third party on their behalf as a part of a broader program of social services including food distribution. Nothing in this chapter shall prohibit organizations under this subsection from employing any person regulated by this chapter.

4. A dentist shall not enter into a contract that allows a person who is not a dentist to influence or interfere with the exercise of the dentist's independent professional judgment.

5. A not-for-profit corporation organized under the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), an unincorporated organization operating pursuant to subsection 3 of this section, or any other person should not direct or interfere or attempt to direct or interfere with a licensed dentist's professional judgment and competent practice of dentistry. Nothing in this subsection shall be so construed as to make it unlawful for not-for-profit organizations to enforce

employment contracts, corporate policy and procedure manuals, or quality improvement or assurance requirements.

6. All entities defined in subsection 2 of this section and those exempted under subsection 3 of this section shall apply for a permit to employ dentists and dental hygienists licensed in this state to render dental services, and the entity shall apply for the permit in writing on forms provided by the Missouri dental board. The board shall not charge a fee of any kind for the issuance or renewal of such permit. The provisions of this subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

7. Any entity that obtains a permit to render dental services in this state is subject to discipline pursuant to section 332.321. If the board concludes that the person or entity has committed an act or is engaging in a course of conduct that would be grounds for disciplinary action, the board may file a complaint before the administrative hearing commission. The board may refuse to issue or renew the permit of any entity for one or any combination of causes stated in subsection 2 of section 332.321. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621.

8. A federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)) shall register with the board. The information provided to the board as part of the registration shall include the name of the health center, the nonprofit status of the health center, sites where dental services will be provided, and the names of all persons employed by, or contracting with, the health center who are required to hold a license pursuant to this chapter. The registration shall be renewed every twenty-four months. The board shall not charge a fee of any kind for the issuance or renewal of the registration. The registration of the health center shall not be subject to discipline pursuant to section 332.321. Nothing in this subsection shall prohibit disciplinary action against a licensee of this chapter who is employed by, or contracts with, such health center for the actions of the licensee in connection with such employment or contract. All licensed persons employed by, or contracting with, the health center shall certify in writing to the board at the time of issuance and renewal of the registration that the facility of the health center meets the same operating standards regarding cleanliness, sanitation, and professionalism as would the facility of a dentist licensed by this chapter. The board shall promulgate rules regarding such standards.

9. The board may promulgate rules and regulations to ensure not-for-profit corporations are rendering care to the patient populations as set forth herein, including requirements for covered not-for-profit corporations to report patient census data to the board. The provisions of this subsection shall not apply to a federally qualified health center as defined in Section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)).

10. All not-for-profit corporations organized or operated pursuant to the provisions of chapter 355 and qualifying as an organization under 26 U.S.C. Section 501(c)(3), or the requirements relating to migrant, community, or health care for the homeless health centers provided in Section 330 of the Public Health Service Act (42 U.S.C. 254(b)) and federally qualified health centers as defined in Section 1905(l) (42 U.S.C. 1396d(l)) of the Social Security Act, that employ persons who practice dentistry or dental hygiene in this state shall do so in accordance with the relevant laws of this state except to the extent that such laws are contrary to, or inconsistent with, federal statute or regulation.

332.183. 1. The board may issue a dental faculty permit to an individual who is employed by an accredited dental school, college, or program in Missouri. The holder of a dental faculty permit shall

be authorized to practice dentistry in accordance with section 332.071 only within accredited dental school programs and only while engaged in teaching didactic courses, preclinical laboratories, and supervising student-delivered patient care at an accredited Missouri dental school, college, or program.

2. The holder of a dental faculty permit shall not receive any fee or compensation for the practice of dentistry, other than any salary or benefits received as part of his or her employment with the accredited Missouri dental school, college, or program and shall not engage in the private practice of dentistry for any fee or compensation.

3. To qualify for a dental faculty permit, an applicant shall:

(1) Be a graduate of and hold a degree from a dental school. An applicant shall not be required to be a graduate of an accredited dental school as defined in section 332.011;

(2) Submit to the board an affidavit from the dean of the accredited Missouri dental school, college, or program confirming the individual's employment as a teacher or instructor at the accredited Missouri dental school, college, or program;

(3) Submit to the board an affidavit stating that he or she will only practice dentistry within the course and scope of his or her teaching responsibilities and will not practice dentistry for any fee or compensation other than any salary or benefits received as part of his or her employment with the accredited Missouri dental school, college, or program;

(4) Pass a written jurisprudence examination given by the board on the Missouri dental laws and rules with a grade of at least eighty percent; and

(5) Submit to the board a completed application on forms provided by the board and the applicable fees as determined by the board; and

(6) Document satisfactory completion of an American Dental Association-accredited postdoctoral training program that is a minimum of twelve continuous months in length; or

(7) Have passed the National Board Examination in accordance with the criteria established by the sponsoring body.

4. The board may waive the requirements under subdivision (6) or (7) of subsection 3 of this section, at the request of the applicant, based on the applicant's portfolio of cases completed and documentation that the applicant held a license to teach dentistry in another state within a year of applying to teach dentistry in Missouri. The board shall only waive the requirements under this subsection if the board determines, based on the information provided in this subsection, that the applicant has a similar level of knowledge and experience as persons who have met the requirements under subdivision (6) or (7) of subsection 3 of this section.

5. A dental faculty permit shall be renewed every two years and shall be subject to the same renewal requirements contained under section 332.181.

6. A dental faculty permit shall be subject to discipline in accordance with section 332.321 and shall be automatically cancelled and nullified if the holder ceases to be employed by the accredited Missouri dental school, college, or program.

7. The board shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 3**

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 1, Section A, Line 3, by inserting immediately after all of said section and line the following:

“172.287. 1. The University of Missouri shall annually request an appropriation under capital improvements, subject to availability of funds, for a program of grants established for the engineering colleges of the University of Missouri for the purpose of assisting such colleges in the purchase of teaching and research laboratory equipment exclusive of laboratory or classroom furniture. The amount granted for each engineering college may not exceed the lesser of an amount equal to one thousand two hundred dollars per each such bachelor’s degree awarded in the previous fiscal year in all engineering programs currently accredited by the accreditation board for engineering and technology, or the dollar value of new funds for equipment purchase which such colleges may obtain from sources other than state appropriations for laboratory equipment.

2. For purposes of this section, the fair market value of in-kind contributions of laboratory equipment to the colleges may be included as funds for equipment purchase from sources other than state appropriations. In the event that new funds for laboratory equipment purchase obtained by any college of engineering from such nonstate sources exceed the amount necessary to reach the maximum dollar limits herein specified, such excess amounts will be carried over to the following fiscal year and considered the same as that year’s new equipment funds from nonstate sources.

3. In the event that the appropriations for this grant program are insufficient to fund all grants approved for a given fiscal year, all such grants shall be reduced pro rata as necessary.

4. The provisions of this section shall terminate on June 30, [2017] **2027**.

173.2528. 1. Prior to January 1, 2018, the department of higher education shall promulgate rules establishing the Coordinating Board for Mental Health Issues in Higher Education (CBMHI).

2. The CBMHI shall consist of representatives from the coordinating board for higher education and designated counseling directors from each public institution of higher education in Missouri. Every sector of public institution of higher education in Missouri shall be represented on the CBMHI, with no two members to be employed by the same institution or engaged in a supervisory relationship of any kind. Committee membership shall change every four years. One member shall be a representative of the coordinating board for higher education, and the remaining members shall consist of designated counseling directors from public institutions of higher education.

173.2530. 1. Prior to January 1, 2019, the coordinating board for mental health issues in higher education shall promulgate rules setting forth reasonable standards and regulations for student counseling facilities at public institutions of higher education in this state relating to student-to-staff ratios, average wait time to see a counselor for an initial appointment, prevention services and any other factors the board determines are contributing factors leading to the prevalence of mental health problems within the academic community. After establishing such standards and regulations, the CBMHI shall develop a process for evaluating student counseling programs at public institutions of higher education to assess whether programs have met the board's criteria. The evaluation process at each institution of higher education shall include measurement of an institution's ability to adequately meet student mental health needs using assessment criteria developed in validated studies of well-being and mental health of students in order to ensure that the effectiveness of the student counseling programs are objectively evaluated.

2. The CBMHI shall prescribe policies and procedures for annual review of an institution's counseling program and actions to be taken when an institution's counseling program fails to meet CBMHI standards.

3. For purposes of sections 173.2530 and 173.2532, the term "student counseling facility" means any entity that provides confidential mental health counseling, psychiatric services, or developmental counseling to college students that is located on campus or is associated with the institution of higher education and operates in accordance with state and federal law pertaining to mental health professionals as well as applicable professional and ethical codes.

4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.

173.2532. Beginning in the 2019-20 school year, and continuing on an annual basis thereafter, student counseling facilities in operation at public institutions of higher education in this state shall participate in an annual needs assessment to identify deficiencies that place such facilities below standards established by the coordinating board for mental health issues in higher education under section 173.2532. The CBMHI shall develop specific procedures through which the assessments are written, distributed, collected, and evaluated."; and

Further amend said bill, Page 2-7, Section 226.540, Lines 1-150, by deleting all of said section and lines; and

Further amend said bill, Pages 7-9, Section 226.550, Lines 1-72, by deleting all of said section and lines; and

Further amend said bill, Page 9, Section 227.447, Lines 1-6, by deleting all of said section and lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 355, Page 1, Section A, Line 3, by inserting after all of said line the following:

“173.1101. The financial assistance program established under sections 173.1101 to 173.1107 shall be hereafter known as the “Access Missouri Financial Assistance Program”. The coordinating board and all approved private, [and] public, **and virtual** institutions in this state shall refer to the financial assistance program established under sections 173.1101 to 173.1107 as the access Missouri student financial assistance program in their scholarship literature, provided that no institution shall be required to revise or amend any such literature to comply with this section prior to the date such literature would otherwise be revised, amended, reprinted or replaced in the ordinary course of such institution’s business.

173.1102. **1.** As used in sections 173.1101 to 173.1107, unless the context requires otherwise, the following terms mean:

(1) “Academic year”, the period from July first of any year through June thirtieth of the following year;

(2) “Approved private institution”, a nonprofit institution, dedicated to educational purposes, located in Missouri which:

(a) Is operated privately under the control of an independent board and not directly controlled or administered by any public agency or political subdivision;

(b) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a certificate or degree;

(c) Meets the standards for accreditation as determined by either the Higher Learning Commission or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to nondegree-granting institutions as established by the coordinating board for higher education;

(d) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of institutions offering the enrollment limited to one sex;

(e) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(3) “Approved public institution”, an educational institution located in Missouri which:

(a) Is directly controlled or administered by a public agency or political subdivision;

(b) Receives appropriations directly or indirectly from the general assembly for operating expenses;

(c) Provides a postsecondary course of instruction at least six months in length leading to or directly creditable toward a degree or certificate;

(d) Meets the standards for accreditation as determined by either the Higher Learning Commission, or if a public community college created under the provisions of sections 178.370 to 178.400 meets the standards established by the coordinating board for higher education for such public community colleges,

or by other accrediting bodies recognized by the United States Department of Education or by utilizing accreditation standards applicable to the institution as established by the coordinating board for higher education;

(e) Does not discriminate in the hiring of administrators, faculty and staff or in the admission of students on the basis of race, color, religion, sex, or national origin and is otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued pursuant thereto;

(f) Permits faculty members to select textbooks without influence or pressure by any religious or sectarian source;

(4) “Approved virtual institution”, an educational institution that meets all of the following requirements:

(a) Is recognized as a qualifying institution by gubernatorial executive order, unless such order is rescinded;

(b) Is recognized as a qualifying institution through a memorandum of understanding between the state of Missouri and the approved virtual institution;

(c) Is accredited by a regional accrediting agency recognized by the United States Department of Education;

(d) Has established and continuously maintains a physical campus or location of operation within the state of Missouri;

(e) Maintains at least twenty-five full-time Missouri employees, at least one-half of which shall be faculty or administrators engaged in operations;

(f) Enrolls at least one thousand Missouri residents as degree or certificate seeking students;

(g) Maintains a governing body or advisory board based in Missouri with oversight of Missouri operations;

(h) Is organized as a nonprofit institution; and

(i) Utilizes an exclusively competency-based education model;

(5) “Coordinating board”, the coordinating board for higher education;

[(5)] (6) “Expected family contribution”, the amount of money a student and family should pay toward the cost of postsecondary education as calculated by the United States Department of Education and reported on the student aid report or the institutional student information record;

[(6)] (7) “Financial assistance”, an amount of money paid by the state of Missouri to a qualified applicant under sections 173.1101 to 173.1107;

[(7)] (8) “Full-time student”, an individual who is enrolled in and is carrying a sufficient number of credit hours or their equivalent at an approved private, [or] public, or virtual institution to secure the degree or certificate toward which he or she is working in no more than the number of semesters or their equivalent normally required by that institution in the program in which the individual is enrolled. This definition shall be construed as the successor to subdivision (7) of section 173.205 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.205.

2. The failure of an approved virtual institution to continuously maintain all of the requirements in subdivision (4) of subsection 1 of this section shall preclude such institution's students or applicants from being eligible for assistance under sections 173.1104 and 173.1105.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance only if, at the time of application and throughout the period during which the applicant is receiving such assistance, the applicant:

- (1) Is a citizen or a permanent resident of the United States;
- (2) Is a resident of the state of Missouri, as determined by reference to standards promulgated by the coordinating board;
- (3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate student in an approved private, [or] public, **or virtual** institution; and
- (4) Is not enrolled or does not intend to use the award to enroll in a course of study leading to a degree in theology or divinity.

2. If an applicant is found guilty of or pleads guilty to any criminal offense during the period of time in which the applicant is receiving financial assistance, such applicant shall not be eligible for renewal of such assistance, provided such offense would disqualify the applicant from receiving federal student aid under Title IV of the Higher Education Act of 1965, as amended.

3. Financial assistance shall be allotted for one academic year, but a recipient shall be eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided such financial assistance shall not exceed a total of ten semesters or fifteen quarters or their equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance, except that for renewal, an applicant shall demonstrate a grade-point average of two and five-tenths on a four-point scale, or the equivalent on another scale. This subsection shall be construed as the successor to section 173.215 for purposes of eligibility requirements of other financial assistance programs that refer to section 173.215.

173.1105. 1. An applicant who is an undergraduate postsecondary student at an approved private, [or] public, **or virtual** institution and who meets the other eligibility criteria shall be eligible for financial assistance, with a minimum and maximum award amount as follows:

- (1) For academic years 2010-11, 2011-12, 2012-13, and 2013-14:
 - (a) One thousand dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector;
 - (b) Two thousand one hundred fifty dollars maximum and one thousand dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical College of Missouri; and
 - (c) Four thousand six hundred dollars maximum and two thousand dollars minimum for students attending approved private institutions;
- (2) For the 2014-15 academic year and subsequent years:
 - (a) One thousand three hundred dollars maximum and three hundred dollars minimum for students attending institutions classified as part of the public two-year sector; and
 - (b) Two thousand eight hundred fifty dollars maximum and one thousand five hundred dollars minimum for students attending institutions classified as part of the public four-year sector, including State Technical

College of Missouri, [or] approved private institutions, **or approved virtual institutions.**

2. All students with an expected family contribution of twelve thousand dollars or less shall receive at least the minimum award amount for his or her institution. Maximum award amounts for an eligible student with an expected family contribution above seven thousand dollars shall be reduced by ten percent of the maximum expected family contribution for his or her increment group. Any award amount shall be reduced by the amount of a student's payment from the A+ schools program or any successor program to it. For purposes of this subsection, the term "increment group" shall mean a group organized by expected family contribution in five hundred dollar increments into which all eligible students shall be placed.

3. If appropriated funds are insufficient to fund the program as described, the maximum award shall be reduced across all sectors by the percentage of the shortfall. If appropriated funds exceed the amount necessary to fund the program, the additional funds shall be used to increase the number of recipients by raising the cutoff for the expected family contribution rather than by increasing the size of the award.

4. Every three years, beginning with academic year 2009-10, the award amount may be adjusted to increase no more than the Consumer Price Index for All Urban Consumers (CPI-U), 1982-1984 = 100, not seasonally adjusted, as defined and officially recorded by the United States Department of Labor, or its successor agency, for the previous academic year. The coordinating board shall prepare a report prior to the legislative session for use of the general assembly and the governor in determining budget requests which shall include the amount of funds necessary to maintain full funding of the program based on the baseline established for the program upon the effective date of sections 173.1101 to 173.1107. Any increase in the award amount shall not become effective unless an increase in the amount of money appropriated to the program necessary to cover the increase in award amount is passed by the general assembly.

173.1107. A recipient of financial assistance may transfer from one approved public [or], private, **or virtual** institution to another without losing eligibility for assistance under sections 173.1101 to 173.1107, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition, fees, or other charges under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund which may be attributed to the state grant to the coordinating board. The coordinating board will use these refunds to make additional awards under the provisions of sections 173.1101 to 173.1107."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 139**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schatz moved that the conference committee on **SB 411**, as amended, be dissolved and request the House recede from its position on **HA 1**, **HA 2**, **HA 3**, as amended, **HA 4** and **HA 5**, as amended, and take up and pass the bill, which motion prevailed.

Senator Hegeman moved that the Senate refuse to concur in **HCS** for **SB 283**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for HB 831, with **SCS**, entitled:

An Act to repeal section 86.207, RSMo, and to enact in lieu thereof one new section relating to the retirement of police officers, with an emergency clause.

Was taken up by Senator Hummel.

SCS for HCS for HB 831, entitled:

**SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 831**

An Act to repeal sections 50.1190, 52.290, 56.363, 56.805, 56.807, 56.814, 56.818, 56.833, 56.840, 86.207, 104.1091, 104.1205, 137.280, 137.345, 140.100, 169.141, 169.324, 169.560, and 169.715, RSMo, and to enact in lieu thereof twenty new sections relating to the retirement of public employees, with effective dates for certain sections and an emergency clause for a certain section.

Was taken up.

Senator Hummel moved that **SCS for HCS for HB 831** be adopted.

Senator Hegeman offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 831, Page 1, Section 50.1190, by striking all of said section; and

Further amend said bill, page 2, section 52.290, line 7 by striking the words “two percent” and inserting in lieu thereof the following: “**two-ninths**”; and further amend line 8 by striking the words “two percent” and inserting in lieu thereof the following: “**two-ninths**”; and further amend line 11 by striking the words “five percent” and inserting in lieu thereof the following: “**five-ninths**”; and

Further amend said bill, page 21, section 137.280, lines 51-60 by striking all of said lines and inserting in lieu thereof the following:

“4. If annual waivers exceed forty percent then by February first of each year, the assessor shall transmit to the county employees’ retirement fund an electronic or paper copy of the log maintained under subsection 3 of section 50.1020 for the prior calendar year.”; and

Further amend said bill and page, section 137.345, line 4 by striking word “they” and inserting in lieu thereof the following: “**the taxpayer**”; and

Further amend said bill and section, page 22, line 24 by inserting after the word “he” the following: “**or she**”; and further amend line 30 by striking the word “or”.

Senator Hegeman moved that the amendment be adopted, which motion prevailed.

Senator Dixon offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 831, Page 31,

Section 169.715, Line 35, by inserting after all of said line the following:

“476.521. 1. Notwithstanding any provision of chapter 476 to the contrary, each person who first becomes a judge on or after January 1, 2011, and continues to be a judge may receive benefits as provided in sections [476.445] **476.450** to [476.688] **476.690** subject to the provisions of this section. **However, any person who filed as a candidate in 2010 to become a judge who was ultimately elected and became a judge in 2011 shall not be subject to the provisions of this section.**

2. Any person who is at least sixty-seven years of age, has served in this state an aggregate of at least twelve years, continuously or otherwise, as a judge, and ceases to hold office by reason of the expiration of the judge’s term, voluntary resignation, or retirement pursuant to the provisions of Subsection 2 of Section 24 of Article V of the Constitution of Missouri may receive benefits as provided in sections 476.515 to 476.565. The twelve-year requirement of this subsection may be fulfilled by service as judge in any of the courts covered, or by service in any combination as judge of such courts, totaling an aggregate of twelve years. Any judge who is at least sixty-seven years of age and who has served less than twelve years and is otherwise qualified under sections 476.515 to 476.565 may retire after reaching age sixty-seven, or thereafter, at a reduced retirement compensation in a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or her period of judicial service bears to twelve years.

3. Any person who is at least sixty-two years of age or older, has served in this state an aggregate of at least twenty years, continuously or otherwise, as a judge, and ceases to hold office by reason of the expiration of the judge’s term, voluntary resignation, or retirement pursuant to the provisions of Subsection 2 of Section 24 of Article V of the Constitution of Missouri may receive benefits as provided in sections 476.515 to 476.565. The twenty-year requirement of this subsection may be fulfilled by service as a judge in any of the courts covered, or by service in any combination as judge of such courts, totaling an aggregate of twenty years. Any judge who is at least sixty-two years of age and who has served less than twenty years and is otherwise qualified under sections 476.515 to 476.565 may retire after reaching age sixty-two, at a reduced retirement compensation in a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or her period of judicial service bears to twenty years.

4. All judges under this section required by the provisions of Section 26 of Article V of the Constitution of Missouri to retire at the age of seventy years shall retire upon reaching that age.

5. The provisions of sections 104.344, 476.524, and 476.690 shall not apply to judges covered by this section.

6. A judge shall be required to contribute four percent of the judge’s compensation to the retirement system, which shall stand to the judge’s credit in his or her individual account with the system, together with investment credits thereon, for purposes of funding retirement benefits payable as provided in sections 476.515 to 476.565, subject to the following provisions:

(1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the judge under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the judge’s compensation that is includable in the judge’s gross income for federal income tax purposes;

(2) Judge contributions picked up by the employer shall be paid from the same source of funds used for the payment of compensation to a judge. A deduction shall be made from each judge’s compensation equal to the amount of the judge’s contributions picked up by the employer. This deduction, however, shall not

reduce the judge's compensation for purposes of computing benefits under the retirement system pursuant to this chapter;

(3) Judge contributions so picked up shall be credited to a separate account within the judge's individual account so that the amounts contributed pursuant to this section may be distinguished from the amounts contributed on an after-tax basis;

(4) The contributions, although designated as employee contributions, are being paid by the employer in lieu of the contributions by the judge. The judge shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system;

(5) Interest shall be credited annually on June thirtieth based on the value in the account as of July first of the immediately preceding year at a rate of four percent. Interest credits shall cease upon retirement of the judge;

(6) A judge whose employment is terminated may request a refund of his or her contributions and interest credited thereon. If such judge is married at the time of such request, such request shall not be processed without consent from the spouse. A judge is not eligible to request a refund if the judge's retirement benefit is subject to a division of benefit order pursuant to section 104.312. Such refund shall be paid by the system after ninety days from the date of termination of employment or the request, whichever is later and shall include all contributions made to any retirement plan administered by the system and interest credited thereon. A judge may not request a refund after such judge becomes eligible for retirement benefits under sections 476.515 to 476.565. A judge who receives a refund shall forfeit all the judge's service and future rights to receive benefits from the system and shall not be eligible to receive any long-term disability benefits; provided that any judge or former judge receiving long-term disability benefits shall not be eligible for a refund. If such judge subsequently becomes a judge and works continuously for at least one year, the service previously forfeited shall be restored if the judge returns to the system the amount previously refunded plus interest at a rate established by the board;

(7) The beneficiary of any judge who made contributions shall receive a refund upon the judge's death equal to the amount, if any, of such contributions less any retirement benefits received by the judge unless an annuity is payable to a survivor or beneficiary as a result of the judge's death. In that event, the beneficiary of the survivor or beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's death equal to the amount, if any, of the judge's contributions less any annuity amounts received by the judge and the survivor or beneficiary.

7. The employee contribution rate, the benefits provided under sections 476.515 to 476.565 to judges covered under this section, and any other provision of sections 476.515 to 476.565 with regard to judges covered under this section may be altered, amended, increased, decreased, or repealed, but only with respect to services rendered by the judge after the effective date of such alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

8. Any judge who is receiving retirement compensation under section 476.529 or 476.530 who becomes employed as an employee eligible to participate in the closed plan or in the year 2000 plan under chapter 104, shall not receive such retirement compensation for any calendar month in which the retired judge is so employed. Any judge who is receiving retirement compensation under section 476.529 or section 476.530 who subsequently serves as a judge as defined pursuant to subdivision (4) of subsection 1 of section 476.515 shall not receive such retirement compensation for any calendar month in which the retired judge is serving

as a judge; except that upon retirement such judge's annuity shall be recalculated to include any additional service or salary accrued based on the judge's subsequent service. A judge who is receiving compensation under section 476.529 or 476.530 may continue to receive such retirement compensation while serving as a senior judge or senior commissioner and shall receive additional credit and salary for such service pursuant to section 476.682.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

At the request of Senator Hummel, **HCS** for **HB 831**, with **SCS** (pending), was placed on the Informal Calendar.

PRIVILEGED MOTIONS

Senator Hegeman moved that the conferees on **HCS** for **SB 111**, as amended, be allowed to exceed the differences for the purpose of modifying the provisions in **HA 1** and **HA 1** to **HA 2**, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 850, introduced by Representative Davis, entitled:

An Act to repeal section 40.435, RSMo, and to enact in lieu thereof one new section relating to military complaints against a commanding office.

Was taken up by Senator Kraus.

On motion of Senator Kraus, **HB 850** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Schaaf	Schatz	Sifton	Silvey	Wallingford	Walsh	Wasson
Wieland—29						

NAYS—Senators

Chappelle-Nadal Schupp—2

Absent—Senators

Hummel Sater—2

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Kraus, title to the bill was agreed to.

Senator Kraus moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HB 93, introduced by Representative Lauer, with **SCS**, entitled:

An Act to repeal section 620.806, RSMo, and to enact in lieu thereof one new section relating to the Missouri Works Training Program.

Was taken up by Senator Wasson.

SCS for **HB 93**, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 93

An Act to repeal section 620.800, 620.803, 620.806, and 620.809, RSMo, and to enact in lieu thereof ten new sections relating to job training.

Was taken up.

Senator Wasson moved that **SCS** for **HB 93** be adopted.

Senator Wasson offered **SS** for **SCS** for **HB 93**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 93

An Act to repeal sections 620.800, 620.803, 620.806, and 620.809, RSMo, and to enact in lieu thereof ten new sections relating to job training.

Senator Wasson moved that **SS** for **SCS** for **HB 93** be adopted.

At the request of Senator Wasson, **HB 93**, with **SCS** and **SS** for **SCS** (pending), was placed on the Informal Calendar.

Senator Silvey moved that **HCS** for **HB 151**, with **SS** and **SA 2** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage.

At the request of Senator Silvey, **SS** for **HCS** for **HB 151** was withdrawn, rendering **SA 2** moot.

Senator Silvey offered **SS No. 2** for **HCS** for **HB 151**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 151

An Act to repeal sections 302.065, 302.183, 302.188, and 302.189, RSMo, and to enact in lieu thereof three new sections relating to forms of identification, with penalty provisions and an emergency clause.

Senator Silvey moved that **SS No. 2** for **HCS** for **HB 151** be adopted.

Senator Silvey offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 151, Page 5, Section 302.170, Lines 17-23, by striking all of said lines from the bill; and further renumber the remaining subsections accordingly.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 151, Page 10, Section 302.170, Line 3 of said page, by inserting after all of said line the following:

“302.185. In the event that a license issued under sections 302.010 to 302.780 shall be lost or destroyed or when a veteran seeks a veteran designation under section 302.188 prior to the expiration of a license **or when a person who has a license or identification card issued prior to the effective date of this act applies for a REAL ID compliant driver’s license or identification card because noncompliant driver’s licenses or identification cards issued by this state are no longer accepted as sufficient identification for domestic air travel**, but not where a license has been suspended, taken up, revoked, disqualified, or deposited in lieu of bail, hereinafter provided, the person to whom the license as was issued may obtain a duplicate license upon furnishing proper identification and satisfactory proof to the director or his authorized license agents that the license has been lost or destroyed, and upon payment of a fee of fifteen dollars for a duplicate license if the person transports persons or property as classified in section 302.015, and a fee of seven dollars and fifty cents for all other duplicate classifications of license. **The department of revenue shall not collect a duplicate license fee for issuance of a REAL ID compliant driver’s license or identification card to a person not previously issued a REAL ID compliant driver’s license or identification card.**”; and

Further amend the title and enacting clause accordingly.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Kraus offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 151, Page 2, Section 302.170, Line 28, of said page, by inserting at the end of said line the following: “**Documents retained as provided or required by subsections 3 and 4 of this section shall be stored solely on a system not connected to the internet nor to a wide area network that connects to the internet. Once stored on such system, the documents and data shall be purged from any systems on which they were previously stored so as to make them irretrievable.**”.

Senator Kraus moved that the above amendment be adopted, which motion prevailed.

Senator Silvey offered **SA 4**, which was read:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 151, Page 3, Section 302.170, Line 20, by striking “14” and inserting in lieu thereof the following: “**13**”.

Senator Silvey moved that the above amendment be adopted, which motion prevailed.

Senator Nasheed offered **SA 5**, which was read:

SENATE AMENDMENT NO. 5

Amend Senate Substitute No. 2 for House Committee Substitute for House Bill No. 151, Page 11, Section 1, Lines 15-18, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted, which motion failed on a standing division vote.

Senator Silvey moved that **SS No. 2 for HCS for HB 151**, as amended, be adopted, which motion prevailed.

On motion of Senator Silvey **SS No. 2 for HCS for HB 151**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger	Nasheed
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schaaf
Schatz	Schupp	Sifton	Silvey	Walsh	Wasson	Wieland—28

NAYS—Senators

Eigel	Emery	Kraus	Onder	Wallingford—5
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Walsh	Wasson	Wieland—27	

NAYS—Senators

Eigel	Emery	Koenig	Kraus	Onder	Wallingford—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Silvey, title to the bill was agreed to.

Senator Silvey moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Wasson moved that **HB 93**, with **SCS** and **SS** for **SCS** (pending), be called from the Informal

Calendar and again taken up for 3rd reading and final passage.

SS for **SCS** for **HB 93** was again taken up.

Senator Wasson moved that **SS** for **SCS** for **HB 93** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS** for **SCS** for **HB 93** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Hoskins	Kehoe	Libla	Munzlinger	Nasheed	Onder	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schatz	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Eigel	Emery	Hummel	Koenig	Kraus	Schaaf—6
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House Conferees on **HCS** for **SB 111**, as amended, be allowed to exceed the differences on section 108.170 and 347.048.

RESOLUTIONS

Senator Munzlinger offered Senate Resolution No. 988, regarding Pranati Parikh, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 989, regarding Joseph Karlinski, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 990, regarding Jordan Held, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 991 regarding Dalton Goewey, Hannibal, which was adopted.

Senator Munzlinger offered Senate Resolution No. 992, regarding Ronald Crum, Bowling Green, which was adopted.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, Teacher Megan Bradley; and Grant Anderson, Emma Kate Bradley, Jacob Craig, Emily Harris, Princeton Miller, Eden Nusbaum, Jake Rodgers, Jarren Stockeland and Rachel Wallace, fourth-grade students from Christian Chapel Academy, Columbia.

Senator Koenig introduced to the Senate, the Physician of the Day, Dr. Jessica Bauerle, Ballwin.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SIXTY-NINTH DAY—WEDNESDAY, MAY 10, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler	HCS for HB 670
HCS for HB 619	HB 743-Conway
HCS for HB 162	HB 824-Reiboldt
HB 97-Swan	HCS for HB 384
HCS for HB 293	HCS for HB 886
HCS for HB 219	HCB 7-Fitzwater
HCS for HB 324	HCB 1-McGaugh
HCS for HB 746	HCS for HB 608
HCS for HB 194	HCS for HB 380
HCS for HBs 960, 962 & 828	

THIRD READING OF SENATE BILLS

SCS for SB 495-Riddle

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|----------------------------|
| 1. SB 535-Wallingford | 6. SB 380-Riddle |
| 2. SB 523-Sater, with SCS | 7. SB 297-Hummel, with SCS |
| 3. SB 480-Kraus | 8. SB 474-Schatz |
| 4. SB 407-Riddle, with SCS | 9. SB 483-Holsman |
| 5. SB 353-Wallingford, with SCS | 10. SB 498-Nasheed |

- 11. SB 251-Kehoe, with SCS
- 12. SB 528-Hegeman
- 13. SB 307-Munzlinger

- 14. SB 472-Hoskins
- 15. SB 524-Koenig, with SCS

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HCS for HB 381, with SCS (Hegeman) | 33. HCS#2 for HB 502 (Rowden) |
| 2. HB 58-Haefner (Onder) | 34. HCS for HB 304, with SCS (Koenig) |
| 3. HB 175-Reiboldt, with SCS (Munzlinger) | 35. HB 871-Davis, with SCS (Kraus) |
| 4. HB 327-Morris (Curls) | 36. HB 843-McGaugh, with SCS (Hegeman) |
| 5. HB 680-Fitzwater, with SCS (Wasson) | 37. HB 200-Fraker, with SCS (Sater) |
| 6. HCS for HB 57-Haefner, with SCS
(Libla) | 38. HCS for HB 703 (Hegeman) |
| 7. HCS for HB 422 (Dixon) | 39. HB 956-Kidd, with SCS (Rizzo) |
| 8. HB 245-Rowland, with SCS (Cunningham) | 40. HCS for HB 199, with SCS (Cunningham) |
| 9. HB 262-Sommer (Hoskins) | 41. HB 87-Henderson, with SCS (Romine) |
| 10. HCS for HB 270 (Rowden) | 42. HB 587-Redmon, with SCS (Hegeman) |
| 11. HCS for HB 661, with SCS (Emery) | 43. HCS for HB 258, with SCS (Munzlinger) |
| 12. HB 758-Cookson, with SCS (Hegeman) | 44. HB 349-Brown, with SCS (Sater) |
| 13. HCS for HB 138, with SCS (Onder) | 45. HCS for HB 316, with SCS
(Wallingford) |
| 14. HCS for HB 441 (Rowden) | 46. HB 558-Ross, with SCS (Schatz) |
| 15. HCS for HB 253, with SCS (Romine) | 47. HB 586-Rhoads (Rowden) |
| 16. HB 94-Lauer (Romine) | 48. HB 256-Rhoads, with SCS (Munzlinger) |
| 17. HB 248-Fitzwater, with SCS
(Cunningham) | 49. HCS for HB 645 (Sater) |
| 18. HB 289-Fitzpatrick, with SCS (Rowden) | 50. HCS for HB 183 (Nasheed) |
| 19. HB 493-Bondon, with SCS (Silvey) | 51. HCS for HB 542 (Schatz) |
| 20. HB 52-Andrews (Hegeman) | 52. HB 61-Alferman (Schatz) |
| 21. HCS for HB 647, with SCS (Sater) | 53. HB 128, HB 678, HB 701 &
HB 964-Davis, with SCS (Richard) |
| 22. HCS for HB 353, with SCS (Sater) | 54. HB 811-Ruth (Wieland) |
| 23. HCS for HB 54, with SCS (Emery) | 55. HB 805-Basye (Rowden) |
| 24. HB 355-Bahr (Eigel) | 56. HB 664-Korman (Riddle) |
| 25. HCS for HB 122, with SCS (Onder) | 57. HB 105-Love (Kraus) |
| 26. HCS for HB 230, with SCS (Koenig) | 58. HB 849-Pfautsch (Kraus) |
| 27. HB 700-Cookson, with SCS (Libla) | 59. HCS for HB 260, with SCS (Sater) |
| 28. HB 1045-Haahr (Wasson) | 60. HCS for HB 1158, with SCS (Riddle) |
| 29. HB 909-Fraker (Wasson) | 61. HCS for HB 159 (Brown) |
| 30. HCS for HB 631, with SCS (Emery) | 62. HB 598-Cornejo (Hegeman) |
| 31. HCS for HB 348 (Romine) | 63. HB 469-Gannon, with SCS (Romine) |
| 32. HJR 10-Brown (Romine) | 64. HCS for HB 935, with SCS (Walsh) |

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|--|--|
| 65. HB 193-Kelley (Emery) | 78. HCS for HB 303 (Onder) |
| 66. HB 281-Rowland (Sater) | (In Fiscal Oversight) |
| 67. HB 568-Tate, with SCS (Schatz) | 79. HCS for HB 174, with SCS (Wallingford) |
| 68. HCS for HB 741, with SCS (Wieland) | 80. HCS for HB 142 (Hoskins) |
| 69. HB 815-Basye, with SCS (Riddle) | 81. HCS for HB 247, with SCS (Schatz) |
| 70. HB 557-Ross (Cunningham) | 82. HCS for HB 334, with SCS |
| 71. HCS for HB 694 (Cunningham) | (In Fiscal Oversight) |
| 72. HCS for HB 225 (Munzlinger) | 83. HB 571-Engler, with SCS (Romine) |
| 73. HCS for HB 181 (Sater) | (In Fiscal Oversight) |
| 74. HB 697-Trent (Rowden) | 84. HCS for HB 656, with SCS |
| 75. HB 719-Rhoads | 85. HCS for HB 330 |
| 76. HCS for HB 261 (Onder) | 86. HB 209-Wiemann, with SCS (Riddle) |
| 77. HB 294-Lynch (Brown) | (In Fiscal Oversight) |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|--|-----------------------------------|
| SB 5-Richard | SB 96-Sater and Emery |
| SB 6-Richard, with SCS | SB 97-Sater, with SCS |
| SB 13-Dixon | SB 102-Cunningham, with SCS |
| SB 20-Brown | SB 103-Wallingford |
| SB 21-Brown | SB 109-Holsman, with SCS |
| SB 28-Sater, with SCS (pending) | SB 115-Schupp, with SCS |
| SB 32-Emery, with SCS | SB 117-Schupp, with SCS |
| SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending) | SB 122-Munzlinger, with SCS |
| SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending) | SB 123-Munzlinger |
| SBs 44 & 63-Romine, with SCS | SB 126-Wasson |
| SB 46-Libla, with SCS | SB 129-Dixon and Sifton, with SCS |
| SB 61-Hegeman, with SCS | SB 130-Kraus, with SCS |
| SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending) | SB 133-Chappelle-Nadal |
| SB 68-Onder and Nasheed | SB 138-Sater |
| SB 76-Munzlinger | SB 141-Emery |
| SB 80-Wasson, with SCS | SB 142-Emery |
| SB 81-Dixon | SB 144-Wallingford |
| SB 83-Dixon | SB 145-Wallingford, with SCS |
| SB 85-Kraus, with SCS | SB 147-Romine |
| | SB 156-Munzlinger, with SCS |
| | SB 157-Dixon, with SCS |
| | SB 158-Dixon |

SB 163-Romine	SB 260-Munzlinger
SB 169-Dixon, with SCS	SB 261-Munzlinger
SB 171-Dixon and Sifton, with SCS	SB 262-Munzlinger
SB 176-Dixon	SB 263-Riddle
SB 177-Dixon, with SCS	SB 264-Dixon
SB 178-Dixon	SB 267-Schatz, with SCS
SB 180-Nasheed, with SCS	SB 271-Wasson and Richard, with SCS
SB 183-Hoskins, with SCS	SB 280-Hoskins, with SCS
SB 184-Emery, with SS (pending)	SB 284-Hegeman, with SCS
SB 185-Onder, et al, with SCS	SBs 285 & 17-Koenig, with SCS
SB 188-Munzlinger, with SCS	SB 286-Rizzo
SB 189-Kehoe, with SCS	SB 290-Schatz, with SCS
SB 190-Emery, with SCS & SS#2 for SCS (pending)	SB 295-Schaaf, with SCS
SB 196-Koenig	SB 298-Curls
SB 199-Wasson	SB 303-Wieland, with SCS
SB 200-Libla	SB 305-Kehoe, et al, with SS, SA 3 & SA 1 to SA 3 (pending)
SB 201-Onder, with SCS	SB 311-Wasson, with SCS
SB 203-Sifton, with SCS	SBs 314 & 340-Schatz, et al, with SCS
SB 207-Sifton	SB 316-Rowden, with SCS
SB 209-Wallingford	SB 325-Kraus
SB 210-Onder, with SCS	SBs 327, 238 & 360-Romine, with SCS
SB 220-Riddle, with SCS & SS for SCS (pending)	SB 328-Romine, with SCS & SA 3 (pending)
SB 221-Riddle	SB 330-Munzlinger
SB 223-Schatz, with SCS	SB 331-Hegeman
SB 227-Koenig, with SCS	SB 333-Schaaf, with SCS
SB 228-Koenig, with SS & SA 1 (pending)	SB 336-Wieland
SB 230-Riddle	SB 341-Nasheed, with SCS
SB 232-Schatz	SB 348-Wasson, with SA 1 (pending)
SB 233-Wallingford	SB 349-Wasson
SB 234-Libla, with SCS	SB 358-Wieland
SB 239-Rowden, with SCS	SB 362-Hummel
SB 242-Emery, with SCS	SB 368-Rowden
SB 243-Hegeman	SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)
SB 247-Kraus, with SCS	SB 378-Wallingford
SB 250-Kehoe	SB 379-Schatz
SB 252-Dixon, with SCS	SB 381-Riddle
SB 258-Munzlinger	SB 383-Eigel and Wieland
SB 259-Munzlinger	SB 384-Rowden, with SCS

SB 389-Sater, with SCS	SB 445-Rowden
SB 391-Munzlinger	SB 448-Emery
SB 392-Holsman	SB 451-Nasheed, with SS (pending)
SB 406-Wasson and Sater	SB 468-Hegeman
SB 409-Koenig	SB 469-Schatz
SB 410-Schatz	SB 475-Schatz
SB 413-Munzlinger	SB 485-Hoskins
SB 418-Hegeman, with SCS	SB 517-Wasson
SB 419-Riddle	SB 518-Emery
SB 422-Cunningham, with SCS	SB 526-Brown
SB 426-Wasson, with SCS	SB 532-Hoskins
SB 427-Wasson	SJR 5-Emery, with SCS (pending)
SB 430-Cunningham, with SCS	SJR 9-Romine, with SCS
SB 433-Sater, with SCS	SJR 11-Hegeman, with SCS
SB 435-Cunningham, with SCS	SJR 12-Eigel
SB 442-Hegeman	SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)	HCS for HBs 337, 259 & 575 (Schatz)
HCS for HB 66, with SCS (Sater)	HCS for HB 427, with SCS (Kehoe)
HB 85-Redmon, with SCS (Hegeman)	HCS for HB 452, with SA 1 (pending)
HCS for HBs 91, 42, 131, 265 & 314 (Brown)	(Rowden)
HB 95-McGaugh (Emery)	HCS for HB 460 (Munzlinger)
HB 104-Love (Brown)	HB 461-Kolkmeier (Munzlinger)
HCS for HB 115, with SCS (Wasson)	HB 462-Kolkmeier (Munzlinger)
HB 207-Fitzwater (Romine)	HB 655-Engler (Dixon)
HB 251-Taylor, with SCS, SS for SCS, SA 2 & SA 3 to SA 2 (pending) (Onder)	HCS for HB 831, with SCS (pending)
HB 288-Fitzpatrick (Kehoe)	(Hummel)
HCS for HBs 302 & 228, with SCS, SS for SCS & SA 5 (pending) (Schatz)	HCS for HBs 1194 & 1193 (Hegeman)

SENATE BILLS WITH HOUSE AMENDMENTS

SCS for SB 322-Wieland and Romine, with HA 1 & HA 2	SB 503-Munzlinger, with HA 1, HA 2 & HA 3
SCS for SB 355-Romine, with HCS, as amended	

BILLS IN CONFERENCE AND BILLS
CARRYING REQUEST MESSAGES

In Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
as amended, HA 4, HA 5, HA 6, HA 7,
HA 8, as amended & HA 9, as amended
SS for SB 34-Cunningham, with HCS,
as amended
SB 50-Walsh, with HA 1, HA 2, HA 3,
HA 4, HA 5, as amended, HA 6,
as amended, HA 7, as amended, HA 8,
HA 9, HA 10, as amended, HA 11, HA 12,
as amended, HA 13, HA 14 & HA 15
(Senate adopted CCR and passed CCS)

SS for SB 62-Hegeman, with HCS,
as amended
SB 64-Schatz, with HA 1, HA 2 & HA 3
SB 111-Hegeman, with HCS, as amended
SB 302-Wieland, with HCS, as amended
HCS for HB 19, with SCS (Brown)
HCS for HBs 90 & 68, with SS, as amended
(Schatz)

Requests to Recede or Grant Conference

SCS for SB 139-Sater, with HCS,
as amended
(Senate requests House recede or
grant conference)
SB 283-Hegeman, with HCS, as amended
(Senate requests House recede or
grant conference)

SB 411-Schatz, with HA 1, HA 2, HA 3,
as amended, HA 4 & HA 5, as amended
(Senate requests House recede & take
up and pass bill)
HCB 3-Fitzpatrick, with SS (Koenig)
(Senate refuses to recede & requests
House take up and pass bill)

RESOLUTIONS

SR 197-Richard
SR 891-Romine

SR 917-Silvey

Reported from Committee

SCR 6-Walsh
SCR 17-Curls
SCR 18-Wallingford
SCR 25-Cunningham, with SCS

SCR 26-Kehoe
HCR 6-Justus (Sater)
HCR 28-Rowland (Kehoe)
HCS for HCR 47 (Eigel)

Journal of the Senate

FIRST REGULAR SESSION

SIXTY-NINTH DAY—WEDNESDAY, MAY 10, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“By wisdom a house is built, and by understanding it is established;..” (Proverbs 24:4)

All-knowing God, as You provided Solomon with the gift of wisdom fill us with knowledge to deal with this world as You would have us live. And Lord strengthen our faith that we may trust that Your wisdom is superior and more needed than our world often gives. And provide us with mercy and grace to be compassionate towards those created in Your image. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from St. Louis Public Radio and Associated Press were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Dixon offered Senate Resolution No. 993, regarding David Stoecker, Springfield, which was adopted.

Senator Dixon offered Senate Resolution No. 994, regarding Phillip Ritchie, Hargill, Texas, which was adopted.

CONCURRENT RESOLUTIONS

Senator Cunningham moved that **SCR 25**, with **SCS**, be taken up for adoption, which motion prevailed.

SCS for **SCR 25** was taken up.

Senator Cunningham moved that **SCS** for **SCR 25** be adopted.

At the request of Senator Cunningham, the above motion was withdrawn which place the concurrent resolution back on the Calendar.

Senator Eigel moved that **HCS** for **HCR 47** be taken up for adoption, which motion prevailed.

HCS for **HCR 47** was taken up.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

President Pro Tem Richard assumed the Chair.

On motion of Senator Eigel, **HCS** for **HCR 47** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 222**.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 1 to House Amendment No. 4 and House Amendment No. 4 as amended.

HOUSE AMENDMENT NO. 1

Amend Senate Bill No. 222, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“304.005. 1. As used in this section, the term “autocycle” means a three-wheeled motor vehicle [on] which the drivers and passengers ride in a **partially or** completely enclosed, [tandem] **non-straddle** seating area [that is equipped with air bag protection, a roll cage, safety belts for each occupant, and antilock brakes and] that is designed to be controlled with a steering wheel and pedals, **and has met applicable Department of Transportation National Highway Traffic Safety Administration requirements or Federal Motorcycle Safety Standards.**

2. Notwithstanding subsection 2 of section 302.020, a person operating or riding in an autocycle shall not be required to wear protective headgear if the vehicle is equipped with a roof that meets or exceeds the standards established for protective headgear.

3. No person shall operate an autocycle on any highway or street in this state unless the person has a valid driver’s license. The operator of an autocycle, however, shall not be required to obtain a motorcycle or motortricycle license or endorsement pursuant to sections 302.010 to 302.340.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Bill No. 222, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary [emergency] vehicle displaying lighted red or red and blue lights, or a stationary vehicle [owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation or a stationary vehicle owned by a contractor or subcontractor performing work for the department of transportation] displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An “emergency vehicle” is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee’s official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550; or

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor.”; and

Further amend said bill, Page 1, Section 307.005, Line 4, by inserting after all of said section and line the following:

“307.175. 1. Motor vehicles and equipment which are operated by any member of an organized fire department, ambulance association, or rescue squad, whether paid or volunteer, may be operated on streets and highways in this state as an emergency vehicle under the provisions of section 304.022 while responding to a fire call or ambulance call or at the scene of a fire call or ambulance call and while using or sounding a warning siren and using or displaying thereon fixed, flashing or rotating blue lights, but sirens and blue lights shall be used only in bona fide emergencies.

2. [Motor vehicles and equipment owned by the state highways and transportation commission or contractor or subcontractor performing work for the department of transportation may use or display thereon fixed, flashing, or rotating amber or white lights, but amber or white lights shall be used only while such vehicle is stationary in a work zone, as defined in section 304.580, when highway workers, as defined in section 304.580, are present.] **(1) Notwithstanding subsection 1 of this section, the following vehicles may use or display fixed, flashing, or rotating red or red and blue lights:**

(a) Emergency vehicles, as defined in section 304.022, when responding to an emergency;

(b) Vehicles operated as described in subsection 1 of this section;

(c) Vehicles owned by a contractor or subcontractor performing work for the department of transportation, except that the red or red and blue lights shall be displayed on vehicles described in this paragraph only between dusk and dawn, when such vehicles are stationary, such vehicles are located in a work zone as defined in section 304.580, highway workers as defined in section 304.580 are present, and such work zone is designated by a sign or signs.

(2) The following vehicles may use or display fixed, flashing, or rotating amber or amber and white lights:

(a) Vehicles owned or leased by the state highways and transportation commission and operated by an authorized employee of the department of transportation;

(b) Vehicles owned by a contractor or subcontractor performing work for the department of transportation, except that the amber or amber and white lights shall be displayed on vehicles described in this paragraph only when such vehicles are stationary;

(c) Vehicles operated by a utility worker performing work for the utility, except that the amber or amber and white lights shall be displayed on vehicles described in this paragraph only when such vehicles are stationary. As used in this paragraph, the term “utility worker” means any employee while in performance of his or her job duties, including any person employed under contract of a

utility that provides gas, heat, electricity, water, steam, telecommunications or cable services, or sewer services, whether privately, municipally, or cooperatively owned.

3. Permits for the operation of such vehicles equipped with sirens or blue lights shall be in writing and shall be issued and may be revoked by the chief of an organized fire department, organized ambulance association, rescue squad, or the state highways and transportation commission and no person shall use or display a siren or blue lights on a motor vehicle, fire, ambulance, or rescue equipment without a valid permit authorizing the use. A permit to use a siren or lights as heretofore set out does not relieve the operator of the vehicle so equipped with complying with all other traffic laws and regulations. Violation of this section constitutes a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Bill No. 222, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“304.170. 1. No vehicle operated upon the highways of this state shall have a width, including load, in excess of one hundred two inches, except clearance lights, rearview mirrors or other accessories required by federal, state or city law or regulation. Provided however, a recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

2. No vehicle operated upon the interstate highway system or upon any route designated by the chief engineer of the state transportation department shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet.

3. No single motor vehicle operated upon the highways of this state shall have a length, including load, in excess of forty-five feet, except as otherwise provided in this section.

4. No bus, recreational motor vehicle or trackless trolley coach operated upon the highways of this state shall have a length in excess of forty-five feet, except that such vehicles may exceed the forty-five foot length when such excess length is caused by the projection of a front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the length of the bus or recreational motor vehicle to exceed the forty-five foot length limit by more than one foot in the front and one foot in the rear. The term “safety bumper” means any device which may be fitted on an existing bumper or which replaces the bumper and is so constructed, treated, or manufactured that it absorbs energy upon impact.

5. No combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the highways of this state shall have a length, including load, in excess of sixty feet; except that in order to comply with the provisions of Title 23 of the United States Code (Public Law 97-424), no combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The length of such semitrailer shall not exceed fifty-three feet.

6. In order to comply with the provisions of Title 23 of the United States Code (Public Law 97-424), no combination of truck-tractor, semitrailer and trailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to twenty-eight and one-half feet in length actually and lawfully operated on December 1, 1982, within a sixty-five foot overall length limit in any state, may continue to be operated upon the interstate highways of this state. On those primary highways not designated by the state highways and transportation commission as provided in subsection 10 of this section, no combination of truck-tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet; provided, however, the state highways and transportation commission may designate additional routes for such sixty-five foot combinations.

7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations, stinger-steered combination automobile transporters and stinger-steered combination boat transporters having a length not in excess of seventy-five feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered combinations shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the highways and transportation commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three saddlemounted vehicles and one fullmount.

9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the interstate and designated primary highway system of this state shall have a semitrailer length in excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer length when used between the first and second semitrailer of a truck-tractor semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the B-train assembly, it shall be included in the length measurement of the semitrailer.

10. The highways and transportation commission is authorized to designate routes on the state highway system other than the interstate system over which those combinations of vehicles of the lengths specified in subsections 5, 6, 7, 8 and 9 of this section may be operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8 and 9 of this section may be operated at a distance not to exceed ten miles from the interstate system and such routes as designated under the provisions of this subsection.

11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section, no other combination of vehicles operated upon the primary or interstate highways of this state plus a distance of ten miles from a primary or interstate highway shall have an overall length, unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway, except the state highways and transportation

commission may designate additional routes for use by sixty-five foot combinations, seventy-five foot stinger-steered combinations or seventy-five foot saddlemount combinations. Any vehicle or combination of vehicles transporting automobiles, boats or other motor vehicles may carry a load which extends no more than three feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of vehicles.

12. (1) Except as hereinafter provided, these restrictions shall not apply to agricultural implements operating occasionally on the highways for short distances including tractor parades for fund-raising activities or special events, provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily transporting agricultural implements or implements of husbandry or road-making machinery, or road materials or towing for repair purposes vehicles that have become disabled upon the highways; or to implement dealers delivering or moving farm machinery for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

(3) Notwithstanding any other provision of law to the contrary, agricultural machinery and implements may be operated on state highways between the hours of sunset and sunrise for agricultural purposes provided such vehicles are equipped with lighting meeting the requirements of section 307.115.

13. As used in this chapter the term “implements of husbandry” means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

14. Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The chief engineer of the state transportation department shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to Senate Bill No. 222, Page 14, Line 33, by deleting said line and inserting in lieu thereof the following:

“front and one foot in the rear. **Notwithstanding any provision of this section to the contrary, an articulated bus, comprised of two or more sections connected by a flexible joint or other mechanism, may be up to sixty feet in length, not including safety bumpers which may extend one foot in front and one foot in the rear, and not including bicycle storage racks which may extend over the safety bumper**

by up to five feet when in the down position transporting a bicycle.”; and

Further amend said amendment and page, Lines 40-41, by deleting said lines and inserting in lieu thereof the following:

“excess of sixty feet; except that in order to comply with the provisions of **Pub. L. 97-424 codified in Title 23 of the United States Code [(Public Law 97-424)] (23 U.S.C. Section 101 et al.), as amended**, no combination of truck-tractor and semitrailer or truck-tractor; and

Further amend said amendment and page, Lines 46-47, by deleting said lines and inserting in lieu thereof the following:

“6. In order to comply with the provisions of **Pub. L. 97-424 codified in Title 23 of the United States Code [(Public Law 97-424)] (23 U.S.C. Section 101 et al.), as amended**, no combination of truck-tractor, semitrailer and trailer operated upon the interstate”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Bill No. 222, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“287.020. 1. The word “employee” as used in this chapter shall be construed to mean every person in the service of any employer, as defined in this chapter, under any contract of hire, express or implied, oral or written, or under any appointment or election, including executive officers of corporations. Except as otherwise provided in section 287.200, any reference to any employee who has been injured shall, when the employee is dead, also include his dependents, and other persons to whom compensation may be payable.

The word “employee” shall also include all minors who work for an employer, whether or not such minors are employed in violation of law, and all such minors are hereby made of full age for all purposes under, in connection with, or arising out of this chapter. The word “employee” shall not include an individual who is the owner, as defined in [subdivision (42) of] section 301.010, and operator of a motor vehicle which is leased or contracted with a driver to a for-hire motor carrier operating within a commercial zone as defined in section 390.020 or 390.041, or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation, or any of its subagencies. The word “employee” also shall not include any person performing services for board, lodging, aid, or sustenance received from any religious, charitable, or relief organization.

2. The word “accident” as used in this chapter shall mean an unexpected traumatic event or unusual strain identifiable by time and place of occurrence and producing at the time objective symptoms of an injury caused by a specific event during a single work shift. An injury is not compensable because work was a triggering or precipitating factor.

3. (1) In this chapter the term “injury” is hereby defined to be an injury which has arisen out of and in the course of employment. An injury by accident is compensable only if the accident was the prevailing factor in causing both the resulting medical condition and disability. “The prevailing factor” is defined to be the primary factor, in relation to any other factor, causing both the resulting medical condition and disability.

(2) An injury shall be deemed to arise out of and in the course of the employment only if:

(a) It is reasonably apparent, upon consideration of all the circumstances, that the accident is the prevailing factor in causing the injury; and

(b) It does not come from a hazard or risk unrelated to the employment to which workers would have been equally exposed outside of and unrelated to the employment in normal nonemployment life.

(3) An injury resulting directly or indirectly from idiopathic causes is not compensable.

(4) A cardiovascular, pulmonary, respiratory, or other disease, or cerebrovascular accident or myocardial infarction suffered by a worker is an injury only if the accident is the prevailing factor in causing the resulting medical condition.

(5) The terms “injury” and “personal injuries” shall mean violence to the physical structure of the body and to the personal property which is used to make up the physical structure of the body, such as artificial dentures, artificial limbs, glass eyes, eyeglasses, and other prostheses which are placed in or on the body to replace the physical structure and such disease or infection as naturally results therefrom. These terms shall in no case except as specifically provided in this chapter be construed to include occupational disease in any form, nor shall they be construed to include any contagious or infectious disease contracted during the course of the employment, nor shall they include death due to natural causes occurring while the worker is at work.

4. “Death” when mentioned as a basis for the right to compensation means only death resulting from such violence and its resultant effects occurring within three hundred weeks after the accident; except that in cases of occupational disease, the limitation of three hundred weeks shall not be applicable.

5. Injuries sustained in company-owned or subsidized automobiles in accidents that occur while traveling from the employee’s home to the employer’s principal place of business or from the employer’s principal place of business to the employee’s home are not compensable. The extension of premises doctrine is abrogated to the extent it extends liability for accidents that occur on property not owned or controlled by the employer even if the accident occurs on customary, approved, permitted, usual or accepted routes used by the employee to get to and from their place of employment.

6. The term “total disability” as used in this chapter shall mean inability to return to any employment and not merely mean inability to return to the employment in which the employee was engaged at the time of the accident.

7. As used in this chapter and all acts amendatory thereof, the term “commission” shall hereafter be construed as meaning and referring exclusively to the labor and industrial relations commission of Missouri, and the term “director” shall hereafter be construed as meaning the director of the department of insurance, financial institutions and professional registration of the state of Missouri or such agency of government as shall exercise the powers and duties now conferred and imposed upon the department of insurance, financial institutions and professional registration of the state of Missouri.

8. The term “division” as used in this chapter means the division of workers’ compensation of the department of labor and industrial relations of the state of Missouri.

9. For the purposes of this chapter, the term “minor” means a person who has not attained the age of eighteen years; except that, for the purpose of computing the compensation provided for in this chapter, the provisions of section 287.250 shall control.

10. In applying the provisions of this chapter, it is the intent of the legislature to reject and abrogate

earlier case law interpretations on the meaning of or definition of “accident”, “occupational disease”, “arising out of”, and “in the course of the employment” to include, but not be limited to, holdings in: *Bennett v. Columbia Health Care and Rehabilitation*, 80 S.W.3d 524 (Mo.App. W.D. 2002); *Kasl v. Bristol Care, Inc.*, 984 S.W.2d 852 (Mo.banc 1999); and *Drewes v. TWA*, 984 S.W.2d 512 (Mo.banc 1999) and all cases citing, interpreting, applying, or following those cases.

11. For the purposes of this chapter, “occupational diseases due to toxic exposure” shall only include the following: mesothelioma, asbestosis, berylliosis, coal worker’s pneumoconiosis, bronchiolitis obliterans, silicosis, silicotuberculosis, manganism, acute myelogenous leukemia, and myelodysplastic syndrome.

287.040. 1. Any person who has work done under contract on or about his premises which is an operation of the usual business which he there carries on shall be deemed an employer and shall be liable under this chapter to such contractor, his subcontractors, and their employees, when injured or killed on or about the premises of the employer while doing work which is in the usual course of his business.

2. The provisions of this section shall not apply to the owner of premises upon which improvements are being erected, demolished, altered or repaired by an independent contractor but such independent contractor shall be deemed to be the employer of the employees of his subcontractors and their subcontractors when employed on or about the premises where the principal contractor is doing work.

3. In all cases mentioned in the preceding subsections, the immediate contractor or subcontractor shall be liable as an employer of the employees of his subcontractors. All persons so liable may be made parties to the proceedings on the application of any party. The liability of the immediate employer shall be primary, and that of the others secondary in their order, and any compensation paid by those secondarily liable may be recovered from those primarily liable, with attorney’s fees and expenses of the suit. Such recovery may be had on motion in the original proceedings. No such employer shall be liable as in this section provided, if the employee was insured by his immediate or any intermediate employer.

4. The provisions of this section shall not apply to the relationship between a for-hire motor carrier operating within a commercial zone as defined in section 390.020 or 390.041 or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation, or any of its subagencies, and an owner, as defined in [subdivision (42) of] section 301.010, and operator of a motor vehicle.

288.035. Notwithstanding the provisions of section 288.034, in the case of an individual who is the owner, as defined in [subdivision (42) of] section 301.010, and operator of a motor vehicle which is leased or contracted with a driver to a for-hire common or contract motor vehicle carrier operating within a commercial zone as defined in section 390.020 or 390.041, or operating under a certificate issued by the Missouri department of transportation or by the United States Department of Transportation or any of its subagencies, such owner/operator shall not be deemed to be an employee, provided, however, such individual owner and operator shall be deemed to be in employment if the for-hire common or contract vehicle carrier is an organization described in Section 501(c)(3) of the Internal Revenue Code or any governmental entity.

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, and sections 307.010 to 307.175, the following terms mean:

(1) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand five hundred pounds or

less, traveling on three, four or more nonhighway tires;

(2) “Automobile transporter”, any vehicle combination **capable of carrying cargo on the power unit and** designed and used [specifically] for the transport of assembled motor vehicles, **including truck camper units**;

(3) “Axle load”, the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) **“Backhaul”, the return trip of a vehicle transporting cargo or general freight, especially when carrying goods back over all or part of the same route;**

(5) “Boat transporter”, any vehicle combination **capable of carrying cargo on the power unit and** designed and used specifically to transport assembled boats and boat hulls. **Boats may be partially disassembled to facilitate transporting;**

[(5)] (6) “Body shop”, a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

[(6)] (7) “Bus”, a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

[(7)] (8) “Commercial motor vehicle”, a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

[(8)] (9) “Cotton trailer”, a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

[(9)] (10) “Dealer”, any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

[(10)] (11) “Director” or “director of revenue”, the director of the department of revenue;

[(11)] (12) “Driveaway operation”:

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person’s own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

[(12)] (13) “Dromedary”, a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

[(13)] (14) “Farm tractor”, a tractor used exclusively for agricultural purposes;

[(14)] (15) “Fleet”, any group of ten or more motor vehicles owned by the same owner;

[(15)] (16) “Fleet vehicle”, a motor vehicle which is included as part of a fleet;

[(16)] (17) “Fullmount”, a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

[(17)] (18) “Gross weight”, the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

[(18)] (19) “Hail-damaged vehicle”, any vehicle, the body of which has become dented as the result of the impact of hail;

[(19)] (20) “Highway”, any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

[(20)] (21) “Improved highway”, a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

[(21)] (22) “Intersecting highway”, any highway which joins another, whether or not it crosses the same;

[(22)] (23) “Junk vehicle”, a vehicle which:

(a) Is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap; or

(b) Has been designated as junk or a substantially equivalent designation by this state or any other state;

[(23)] (24) “Kit vehicle”, a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer’s statement of origin;

[(24)] (25) “Land improvement contractors’ commercial motor vehicle”, any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers’ maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner’s machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation. Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

[(25)] (26) “Local commercial motor vehicle”, a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person’s control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

[(26)] (27) “Local log truck”, a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to

transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in 23 U.S.C. Section 103, as amended, such vehicle shall not exceed the weight limits of section 304.180, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

[(27)] **(28)** “Local log truck tractor”, a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in [Title 23, Section 103(e) of the United States Code] **23 U.S.C. Section 103, as amended**, such vehicle does not exceed the weight limits contained in section 304.180, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220;

[(28)] **(29)** “Local transit bus”, a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

[(29)] **(30)** “Log truck”, a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

[(30)] **(31)** “Major component parts”, the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

[(31)] **(32)** “Manufacturer”, any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

[(32)] **(33)** “Motor change vehicle”, a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

[(33)] **(34)** “Motor vehicle”, any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

[(34)] **(35)** “Motor vehicle primarily for business use”, any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds;

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

[(35)] **(36)** “Motorcycle”, a motor vehicle operated on two wheels;

[(36)] **(37)** “Motorized bicycle”, any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

[(37)] **(38)** “Motortricycle”, a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

[(38)] **(39)** “Municipality”, any city, town or village, whether incorporated or not;

[(39)] **(40)** “Nonresident”, a resident of a state or country other than the state of Missouri;

[(40)] **(41)** “Non-USA-std motor vehicle”, a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

[(41)] **(42)** “Operator”, any person who operates or drives a motor vehicle;

[(42)] **(43)** “Owner”, any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner [for the purpose of this law];

[(43)] **(44)** “Public garage”, a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

[(44)] **(45)** “Rebuilder”, a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

[(45)] **(46)** “Reconstructed motor vehicle”, a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

[(46)] **(47)** “Recreational motor vehicle”, any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

[(47)] **(48)** “Recreational off-highway vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more nonhighway tires and which may have access to ATV trails;

[(48)] **(49)** “Rollback or car carrier”, any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing

service;

[(49)] **(50)** “Saddlemount combination”, a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The “saddle” is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a “double saddlemount combination”. When three vehicles are towed in this manner, the combination is called a “triple saddlemount combination”;

[(50)] **(51)** “Salvage dealer and dismantler”, a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

[(51)] **(52)** “Salvage vehicle”, a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer’s model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155 or section 304.157 and designated with the words “salvage/abandoned property”. The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, “fair market value” means the retail value of a motor vehicle as:

a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

[(52)] **(53)** “School bus”, any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

[(53)] **(54)** “Scrap processor”, a business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling;

[(54)] **(55)** “Shuttle bus”, a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

[(55)] (56) “Special mobile equipment”, every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

[(56)] (57) “Specially constructed motor vehicle”, a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

[(57)] (58) “Stinger-steered combination”, a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

[(58)] (59) “Tandem axle”, a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

[(60)] (60) “Towaway trailer transporter combination”, a combination of vehicles consisting of a trailer transporter towing unit and two trailers or semitrailers, with a total weight that does not exceed twenty-six thousand pounds; and in which the trailers or semitrailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semitrailers;

[(59)] (61) “Tractor”, “truck tractor” or “truck-tractor”, a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

[(60)] (62) “Trailer”, any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term trailer shall not include cotton trailers as defined in [subdivision (8) of] this section and shall not include manufactured homes as defined in section 700.010;

[(63)] (63) “Trailer transporter towing unit”, a power unit that is not used to carry property when operating in a towaway trailer transporter combination;

[(61)] (64) “Truck”, a motor vehicle designed, used, or maintained for the transportation of property;

[(62)] (65) “Truck-tractor semitrailer-semitrailer”, a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional A-dolly connected truck-tractor semitrailer-trailer combination;

[(63)] (66) “Truck-trailer boat transporter combination”, a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

[(64)] (67) “Used parts dealer”, a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. Business does not include isolated sales at a swap meet of less than three days;

[(65)] (68) “Utility vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;

[(66)] (69) “Vanpool”, any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term bus or commercial motor vehicle as defined [by subdivisions (6) and (7) of] in this section, nor shall a vanpool driver be deemed a chauffeur as that term is defined by section 303.020; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

[(67)] (70) “Vehicle”, any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

[(68)] (71) “Wrecker” or “tow truck”, any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

[(69)] (72) “Wrecker or towing service”, the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain.

301.031. Notwithstanding the twenty-five mile operations limit imposed in [subdivision (24) of] section 301.010 upon local commercial motor vehicles, a local commercial motor vehicle licensed for forty-eight thousand pounds gross weight and above may be used to haul solid waste as defined in section 260.200 up to sixty miles from the municipality in which its operations are otherwise confined and still be eligible to register as a local commercial motor vehicle.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or rebuilding, the purchaser shall forward to the director of revenue within ten days the certificate of ownership or salvage certificate of title and the proper application and fee of eight dollars and fifty cents, and the director shall issue a negotiable salvage certificate of title to the purchaser of the salvaged vehicle. On vehicles purchased during a year that is no more than six years after the manufacturer’s model year designation for such vehicle, it shall be mandatory that the purchaser apply for a salvage title. On vehicles purchased during a year that is more than six years after the manufacturer’s model year designation for such vehicle, then application for a salvage title shall be optional on the part of the purchaser. Whenever a vehicle is sold for destruction and a salvage certificate of title, junking certificate, or certificate of ownership exists, the seller, if licensed under sections 301.217 to 301.221, shall forward the certificate to the director of revenue within ten days, with the notation of the date sold for destruction and the name of the purchaser clearly shown on the face of the certificate.

2. Whenever a vehicle is classified as “junk”, as defined in section 301.010, the purchaser may forward to the director of revenue a properly completed application for a junking certificate as well as the salvage certificate of title or certificate of ownership and the director shall issue a negotiable junking certificate to the purchaser of the vehicle. The director may also issue a junking certificate to a possessor of a vehicle manufactured twenty-six years or more prior to the current model year who has a bill of sale for said vehicle but does not possess a certificate of ownership, provided no claim of theft has been made on the vehicle and the highway patrol has by letter stated the vehicle is not listed as stolen after checking the registration number through its nationwide computer system. Such junking certificate may be granted within thirty days of the submission of a request. A junking certificate shall authorize the holder to possess, transport, or, by assignment, transfer ownership in such parts, scrap, or junk.

3. For any vehicle issued a junking certificate or such similar document or classification pursuant to the laws of another state, regardless of whether such designation has been subsequently changed by law in any other state, the department shall only issue a junking certificate, and a salvage certificate of title or original certificate of ownership shall not thereafter be issued for such vehicle. Notwithstanding the provisions of this subsection, if the vehicle has not previously been classified as a junk vehicle, the applicant making the original junking certification application shall, within ninety days, be allowed to rescind his application for a junking certificate by surrendering the junking certificate and apply for a salvage certificate of title in his name. The seller of a vehicle for which a junking certificate has been applied for or issued shall disclose such fact in writing to any prospective buyers before sale of such vehicle; otherwise the sale shall be voidable at the option of the buyer.

4. No scrap metal operator shall acquire or purchase a motor vehicle or parts thereof without, at the time of such acquisition, receiving the original certificate of ownership or salvage certificate of title or junking certificate from the seller of the vehicle or parts, unless the seller is a licensee under sections 301.219 to 301.221.

5. All titles and certificates required to be received by scrap metal operators from nonlicensees shall be forwarded by the operator to the director of revenue within ten days of the receipt of the vehicle or parts.

6. The scrap metal operator shall keep a record, for three years, of the seller’s name and address, the salvage business license number of the licensee, date of purchase, and any vehicle or parts identification numbers open for inspection as provided in section 301.225.

7. Notwithstanding any other provision of this section, a motor vehicle dealer as defined in section 301.550 and licensed under the provisions of sections 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title on the back thereof.

8. Notwithstanding the provisions of subsection 1 of this section, an insurance company which settles a claim for a stolen vehicle may apply for and shall be issued a negotiable salvage certificate of title without the payment of any fee upon proper application within thirty days after settlement of the claim for such stolen vehicle. However, if the insurance company upon recovery of a stolen vehicle determines that the stolen vehicle has not sustained damage to the extent that the vehicle would have otherwise been declared a salvage vehicle pursuant to [subdivision (51) of] section 301.010, then the insurance company may have the vehicle inspected by the Missouri state highway patrol, or other law enforcement agency authorized by the director of revenue, in accordance with the inspection provisions of subsection 9 of section 301.190. Upon receipt of title application, applicable fee, the completed inspection, and the return of any previously issued negotiable salvage certificate, the director shall issue an original title with no salvage or prior salvage

designation. Upon the issuance of an original title the director shall remove any indication of the negotiable salvage title previously issued to the insurance company from the department's electronic records.

9. Notwithstanding subsection 4 of this section or any other provision of the law to the contrary, if a motor vehicle is inoperable and is at least ten model years old, or the parts are from a motor vehicle that is inoperable and is at least ten model years old, a scrap metal operator may purchase or acquire such motor vehicle or parts without receiving the original certificate of ownership, salvage certificate of title, or junking certificate from the seller of the vehicle or parts, provided the scrap metal operator verifies with the department of revenue, via the department's online record access, that the motor vehicle is not subject to any recorded security interest or lien and the scrap metal operator complies with the requirements of this subsection. In lieu of forwarding certificates of title or ownership for such motor vehicles as required by subsection 5 of this section, the scrap metal operator shall forward a copy of the seller's state identification **card** along with a bill of sale to the department of revenue. The bill of sale form shall be designed by the director and such form shall include, but not be limited to, a certification that the motor vehicle is at least ten model years old, is inoperable, is not subject to any recorded security interest or lien, and a certification by the seller that the seller has the legal authority to sell or otherwise transfer the seller's interest in the motor vehicle or parts. Upon receipt of the information required by this subsection, the department of revenue shall cancel any certificate of title or ownership and registration for the motor vehicle. If the motor vehicle is inoperable and at least twenty model years old, then the scrap metal operator shall not be required to verify with the department of revenue whether the motor vehicle is subject to any recorded security interests or liens. As used in this subsection, the term "inoperable" means a motor vehicle that is in a rusted, wrecked, discarded, worn out, extensively damaged, dismantled, and mechanically inoperative condition and the vehicle's highest and best use is for scrap purposes. The director of the department of revenue is directed to promulgate rules and regulations to implement and administer the provisions of this section, including but not limited to, the development of a uniform bill of sale. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2012, shall be invalid and void.

301.550. 1. The definitions contained in section 301.010 shall apply to sections 301.550 to 301.573, and in addition as used in sections 301.550 to 301.573, the following terms mean:

(1) "Boat dealer", any natural person, partnership, or corporation who, for a commission or with an intent to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents with the option to purchase, offers, attempts to sell, or negotiates the sale of any vessel or vessel trailer, whether or not the vessel or vessel trailer is owned by such person. The sale of six or more vessels or vessel trailers or both in any calendar year shall be required as evidence that such person is eligible for licensure as a boat dealer under sections 301.550 to 301.573. The boat dealer shall demonstrate eligibility for renewal of his license by selling six or more vessels or vessel trailers or both in the prior calendar year while licensed as a boat dealer pursuant to sections 301.550 to 301.573;

(2) "Boat manufacturer", any person engaged in the manufacturing, assembling or modification of new vessels or vessel trailers as a regular business, including a person, partnership or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of vessels or

vessel trailers;

(3) “Department”, the Missouri department of revenue;

(4) “Director”, the director of the Missouri department of revenue;

(5) “Emergency vehicles”, motor vehicles used as ambulances, law enforcement vehicles, and fire fighting and assistance vehicles;

(6) “Manufacturer”, any person engaged in the manufacturing, assembling or modification of new motor vehicles or trailers as a regular business, including a person, partnership or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of motor vehicles or accessories for motor vehicles;

(7) “Motor vehicle broker”, a person who holds himself out through solicitation, advertisement, or otherwise as one who offers to arrange a transaction involving the retail sale of a motor vehicle, and who is not:

(a) A dealer, or any agent, or any employee of a dealer when acting on behalf of a dealer;

(b) A manufacturer, or any agent, or employee of a manufacturer when acting on behalf of a manufacturer;

(c) The owner of the vehicle involved in the transaction; or

(d) A public motor vehicle auction or wholesale motor vehicle auction where buyers are licensed dealers in this or any other jurisdiction;

(8) “Motor vehicle dealer” or “dealer”, any person who, for commission or with an intent to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents with the option to purchase, or who offers or attempts to sell or negotiates the sale of motor vehicles or trailers whether or not the motor vehicles or trailers are owned by such person; provided, however, an individual auctioneer or auction conducted by an auctioneer licensed pursuant to chapter 343 shall not be included within the definition of a motor vehicle dealer. The sale of six or more motor vehicles or trailers in any calendar year shall be required as evidence that such person is engaged in the motor vehicle business and is eligible for licensure as a motor vehicle dealer under sections 301.550 to 301.573. Any motor vehicle dealer licensed before August 28, 2007, shall be required to meet the minimum calendar year sales of six or more motor vehicles provided the dealer can prove the business achieved, cumulatively, six or more sales per year for the preceding twenty-four months in business; or if the dealer has not been in business for twenty-four months, the cumulative equivalent of one sale every two months for the months the dealer has been in business before August 28, 2007. Any licensed motor vehicle dealer failing to meet the minimum vehicle sales requirements as referenced in this subsection shall not be qualified to renew his or her license for one year. Applicants who reapply after the one-year period shall meet the requirement of six sales per year;

(9) “New motor vehicle”, any motor vehicle being transferred for the first time from a manufacturer, distributor or new vehicle dealer which has not been registered or titled in this state or any other state and which is offered for sale, barter or exchange by a dealer who is franchised to sell, barter or exchange that particular make of motor vehicle. The term “new motor vehicle” shall not include manufactured homes, as defined in section 700.010;

(10) “New motor vehicle franchise dealer”, any motor vehicle dealer who has been franchised to deal in a certain make of motor vehicle by the manufacturer or distributor of that make and motor vehicle and

who may, in line with conducting his business as a franchise dealer, sell, barter or exchange used motor vehicles;

(11) “Person” includes an individual, a partnership, corporation, an unincorporated society or association, joint venture or any other entity;

(12) “Powersport dealer”, any motor vehicle dealer who sells, either pursuant to a franchise agreement or otherwise, primarily motor vehicles including but not limited to motorcycles, all-terrain vehicles, and personal watercraft, as those terms are defined in this chapter and chapter 306;

(13) “Public motor vehicle auction”, any person, firm or corporation who takes possession of a motor vehicle whether by consignment, bailment or any other arrangement, except by title, for the purpose of selling motor vehicles at a public auction by a licensed auctioneer;

(14) “Recreational motor vehicle dealer”, a dealer of new or used motor vehicles designed, constructed or substantially modified for use as temporary housing quarters, including sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle;

(15) “Storage lot”, an area within the same city or county where a dealer may store excess vehicle inventory;

(16) “Trailer dealer”, any person selling, either exclusively or otherwise, trailers as defined in [subdivision (60) of] section 301.010. A trailer dealer may acquire a motor vehicle for resale only as a trade-in for a trailer. Notwithstanding the provisions of [subdivision (11) of] section 301.010 and section 301.069, trailer dealers may purchase one driveaway license plate to display such motor vehicle for demonstration purposes. The sale of six or more trailers in any calendar year shall be required as evidence that such person is engaged in the trailer business and is eligible for licensure as a trailer dealer under sections 301.550 to 301.573. Any trailer dealer licensed before August 28, 2007, shall be required to meet the minimum calendar year sales of six or more trailers provided the dealer can prove the business achieved, cumulatively, six or more sales per year for the preceding twenty-four months in business; or if the dealer has not been in business for twenty-four months, the cumulative equivalent of one sale every two months for the months the dealer has been in business before August 28, 2007. Any licensed trailer dealer failing to meet the minimum trailer and vehicle sales requirements as referenced in this subsection shall not be qualified to renew his or her license for one year. Applicants who reapply after the one-year period shall meet the requirement of six sales per year;

(17) “Used motor vehicle”, any motor vehicle which is not a new motor vehicle, as defined in sections 301.550 to 301.573, and which has been sold, bartered, exchanged or given away or which may have had a title issued in this state or any other state, or a motor vehicle so used as to be what is commonly known as a secondhand motor vehicle. In the event of an assignment of the statement of origin from an original franchise dealer to any individual or other motor vehicle dealer other than a new motor vehicle franchise dealer of the same make, the vehicle so assigned shall be deemed to be a used motor vehicle and a certificate of ownership shall be obtained in the assignee’s name. The term “used motor vehicle” shall not include manufactured homes, as defined in section 700.010;

(18) “Used motor vehicle dealer”, any motor vehicle dealer who is not a new motor vehicle franchise dealer;

(19) “Vessel”, every boat and watercraft defined as a vessel in section 306.010;

(20) “Vessel trailer”, any trailer, as defined by section 301.010 which is designed and manufactured for the purposes of transporting vessels;

(21) “Wholesale motor vehicle auction”, any person, firm or corporation in the business of providing auction services solely in wholesale transactions at its established place of business in which the purchasers are motor vehicle dealers licensed by this or any other jurisdiction, and which neither buys, sells nor owns the motor vehicles it auctions in the ordinary course of its business. Except as required by law with regard to the auction sale of a government-owned motor vehicle, a wholesale motor vehicle auction shall not provide auction services in connection with the retail sale of a motor vehicle;

(22) “Wholesale motor vehicle dealer”, a motor vehicle dealer who sells motor vehicles only to other new motor vehicle franchise dealers or used motor vehicle dealers or via auctions limited to other dealers of any class.

2. For purposes of sections 301.550 to 301.573, neither the term motor vehicle nor the term trailer shall include manufactured homes, as defined in section 700.010.

3. Dealers shall be divided into classes as follows:

- (1) Boat dealers;
- (2) Franchised new motor vehicle dealers;
- (3) Used motor vehicle dealers;
- (4) Wholesale motor vehicle dealers;
- (5) Recreational motor vehicle dealers;
- (6) Historic motor vehicle dealers;
- (7) Classic motor vehicle dealers;
- (8) Powersport dealers; and
- (9) Trailer dealers.

304.170. 1. No vehicle operated upon the highways of this state shall have a width, including load, in excess of one hundred two inches, except clearance lights, rearview mirrors or other accessories required by federal, state or city law or regulation. Provided however, a recreational vehicle as defined in section 700.010 may exceed the foregoing width limits if the appurtenances on such recreational vehicle extend no further than the rearview mirrors. Such mirrors may only extend the distance necessary to provide the required field of view before the appurtenances were attached.

2. No vehicle operated upon the interstate highway system or upon any route designated by the [chief engineer of the state transportation department] **state highways and transportation commission** shall have a height, including load, in excess of fourteen feet. On all other highways, no vehicle shall have a height, including load, in excess of thirteen and one-half feet, except that any vehicle or combination of vehicles transporting automobiles or other motor vehicles may have a height, including load, of not more than fourteen feet.

3. No single motor vehicle operated upon the highways of this state shall have a length, including load, in excess of forty-five feet, except as otherwise provided in this section.

4. No bus, recreational motor vehicle or trackless trolley coach operated upon the highways of this state

shall have a length in excess of forty-five feet, except that such vehicles may exceed the forty-five feet length when such excess length is caused by the projection of a front safety bumper or a rear safety bumper or both. Such safety bumper shall not cause the length of the bus or recreational motor vehicle to exceed the forty-five feet length limit by more than one foot in the front and one foot in the rear.

The term "safety bumper" means any device which may be fitted on an existing bumper or which replaces the bumper and is so constructed, treated, or manufactured that it absorbs energy upon impact.

5. No combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the highways of this state shall have a length, including load, in excess of sixty feet; except that in order to comply with the provisions of Title 23 of the United States Code (Public Law 97-424), no combination of truck-tractor and semitrailer or truck-tractor equipped with dromedary and semitrailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer or truck-tractor equipped with dromedary and semitrailer. The length of such semitrailer shall not exceed fifty-three feet.

6. In order to comply with the provisions of Title 23 of the United States Code (Public Law 97-424), no combination of truck-tractor, semitrailer and trailer operated upon the interstate highway system of this state shall have an overall length, including load, in excess of the length of the truck-tractor plus the semitrailer and trailer, neither of which semitrailer or trailer shall exceed twenty-eight feet in length, except that any existing semitrailer or trailer up to twenty-eight and one-half feet in length actually and lawfully operated on December 1, 1982, within a sixty-five foot overall length limit in any state, may continue to be operated upon the interstate highways of this state. On those primary highways not designated by the state highways and transportation commission as provided in subsection [10] **11** of this section, no combination of truck-tractor, semitrailer and trailer shall have an overall length, including load, in excess of sixty-five feet; provided, however, the [state highways and transportation] commission may designate additional routes for such sixty-five foot combinations.

7. Automobile transporters, boat transporters, truck-trailer boat transporter combinations, [stinger-steered combination automobile transporters] and stinger-steered combination boat transporters having a length not in excess of seventy-five feet may be operated on the interstate highways of this state and such other highways as may be designated by the [highways and transportation] commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding automobile or boat transporters, truck-trailer boat transporter combinations and stinger-steered [combinations] **combination boat transporters** shall include a semitrailer length not to exceed fifty-three feet and are exclusive of front and rear overhang, which shall be no greater than a three-foot front overhang and no greater than a four-foot rear overhang.

(1) Stinger-steered combination automobile transporters having a length not in excess of eighty feet may be operated on the interstate highways of this state and such other highways as may be designated by the commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. All length provisions regarding stinger-steered automobile combination transporters are exclusive of front and rear overhang, which shall be no greater than a four-foot front overhang and no greater than a six-foot rear overhang.

(2) Automobile transporters may transport cargo or general freight on a backhaul, as long as in compliance with weight limitations for a truck-tractor and semitrailer combination as outlined in section 304.180.

8. Driveaway saddlemount combinations having a length not in excess of ninety-seven feet may be operated on the interstate highways of this state and such other highways as may be designated by the [highways and transportation] commission for the operation of such vehicles plus a distance not to exceed ten miles from such interstate or designated highway. Saddlemount combinations must comply with the safety requirements of Section 393.71 of Title 49 of the Code of Federal Regulations and may contain no more than three saddlemounted vehicles and one fullmount.

9. No truck-tractor semitrailer-semitrailer combination vehicles operated upon the interstate and designated primary highway system of this state shall have a semitrailer length in excess of twenty-eight feet or twenty-eight and one-half feet if the semitrailer was in actual and lawful operation in any state on December 1, 1982, operating in a truck-tractor semitrailer-semitrailer combination. The B-train assembly is excluded from the measurement of semitrailer length when used between the first and second semitrailer of a truck-tractor semitrailer-semitrailer combination, except that when there is no semitrailer mounted to the B-train assembly, it shall be included in the length measurement of the semitrailer.

10. No towaway trailer transporter combination vehicles operated upon the interstate and designated primary highway system of this state shall have an overall length of more than eighty-two feet.

11. The [highways and transportation] commission is authorized to designate routes on the state highway system other than the interstate system over which those combinations of vehicles of the lengths specified in subsections 5, 6, 7, 8, [and] 9, **and 10** of this section may be operated. Combinations of vehicles operated under the provisions of subsections 5, 6, 7, 8, [and] 9, **and 10** of this section may be operated at a distance not to exceed ten miles from the interstate system and such routes as designated under the provisions of this subsection.

[11.] **12.** Except as provided in subsections 5, 6, 7, 8, 9, [and] 10, **and 11** of this section, no other combination of vehicles operated upon the primary or interstate highways of this state plus a distance of ten miles from a primary or interstate highway shall have an overall length, unladen or with load, in excess of sixty-five feet or in excess of fifty-five feet on any other highway[, except the state highways and transportation commission may designate additional routes for use by sixty-five foot combinations, seventy-five foot stinger-steered or seventy-five foot saddlemount combinations. Any vehicle or combination of vehicles transporting automobiles, boats or other motor vehicles may carry a load which extends no more than three feet beyond the front and four feet beyond the rear of the transporting vehicle or combination of vehicles].

[12.] **13.** (1) Except as hereinafter provided, these restrictions shall not apply to agricultural implements operating occasionally on the highways for short distances including tractor parades for fund-raising activities or special events, provided the tractors are driven by licensed drivers during daylight hours only and with the approval of the superintendent of the Missouri state highway patrol; or to self-propelled hay-hauling equipment or to implements of husbandry, or to the movement of farm products as defined in section 400.9-102 or to vehicles temporarily transporting agricultural implements or implements of husbandry or road-making machinery, or road materials or towing for repair purposes vehicles that have become disabled upon the highways; or to implement dealers delivering or moving farm machinery for repairs on any state highway other than the interstate system.

(2) Implements of husbandry and vehicles transporting such machinery or equipment and the movement of farm products as defined in section 400.9-102 may be operated occasionally for short distances on state

highways when operated between the hours of sunrise and sunset by a driver licensed as an operator or chauffeur.

[13.] **14.** As used in this chapter the term “implements of husbandry” means all self-propelled machinery operated at speeds of less than thirty miles per hour, specifically designed for, or especially adapted to be capable of, incidental over-the-road and primary offroad usage and used exclusively for the application of commercial plant food materials or agricultural chemicals, and not specifically designed or intended for transportation of such chemicals and materials.

[14.] **15.** Sludge disposal units may be operated on all state highways other than the interstate system. Such units shall not exceed one hundred thirty-eight inches in width and may be equipped with over-width tires. Such units shall observe all axle weight limits. The [chief engineer of the state transportation department] **commission** shall issue special permits for the movement of such disposal units and may by such permits restrict the movements to specified routes, days and hours.

304.180. 1. No vehicle or combination of vehicles shall be moved or operated on any highway in this state having a greater weight than twenty thousand pounds on one axle, no combination of vehicles operated by transporters of general freight over regular routes as defined in section 390.020 shall be moved or operated on any highway of this state having a greater weight than the vehicle manufacturer’s rating on a steering axle with the maximum weight not to exceed twelve thousand pounds on a steering axle, and no vehicle shall be moved or operated on any state highway of this state having a greater weight than thirty-four thousand pounds on any tandem axle; the term “tandem axle” shall mean a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart.

2. An “axle load” is defined as the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle.

3. Subject to the limit upon the weight imposed upon a highway of this state through any one axle or on any tandem axle, the total gross weight with load imposed by any group of two or more consecutive axles of any vehicle or combination of vehicles shall not exceed the maximum load in pounds as set forth in the following table:

Distance in feet between the extremes
of any group of two or more consecutive
axles, measured to the nearest foot,
except where indicated otherwise

Maximum load in pounds

feet 2 axles 3 axles 4 axles 5 axles 6 axles

4 34,000

5 34,000

6 34,000

7 34,000

8 34,000 34,000

More than 8 38,000 42,000

9 39,000 42,500

10 40,000 43,500

11 40,000 44,000

12 40,000 45,000 50,000

13 40,000 45,500 50,500

14 40,000 46,500 51,500

15 40,000 47,000 52,000

16 40,000 48,000 52,500 58,000

17 40,000 48,500 53,500 58,500

18 40,000 49,500 54,000 59,000

19 40,000 50,000 54,500 60,000

20 40,000 51,000 55,500 60,500 66,000

21 40,000 51,500 56,000 61,000 66,500

22 40,000 52,500 56,500 61,500 67,000

23 40,000 53,000 57,500 62,500 68,000

24 40,000 54,000 58,000 63,000 68,500

25 40,000 54,500 58,500 63,500 69,000

26 40,000 55,500 59,500 64,000 69,500

27 40,000 56,000 60,000 65,000 70,000

28 40,000 57,000 60,500 65,500 71,000

29 40,000 57,500 61,500 66,000 71,500

30 40,000 58,500 62,000 66,500 72,000

31 40,000 59,000 62,500 67,500 72,500

32 40,000 60,000 63,500 68,000 73,000

33 40,000 60,000 64,000 68,500 74,000

34 40,000 60,000 64,500 69,000 74,500

35 40,000 60,000 65,500 70,000 75,000

36 60,000 66,000 70,500 75,500

37 60,000 66,500 71,000 76,000

38 60,000 67,500 72,000 77,000

39	60,000 68,000 72,500 77,500
40	60,000 68,500 73,000 78,000
41	60,000 69,500 73,500 78,500
42	60,000 70,000 74,000 79,000
43	60,000 70,500 75,000 80,000
44	60,000 71,500 75,500 80,000
45	60,000 72,000 76,000 80,000
46	60,000 72,500 76,500 80,000
47	60,000 73,500 77,500 80,000
48	60,000 74,000 78,000 80,000
49	60,000 74,500 78,500 80,000
50	60,000 75,500 79,000 80,000
51	60,000 76,000 80,000 80,000
52	60,000 76,500 80,000 80,000
53	60,000 77,500 80,000 80,000
54	60,000 78,000 80,000 80,000
55	60,000 78,500 80,000 80,000
56	60,000 79,500 80,000 80,000
57	60,000 80,000 80,000 80,000

Notwithstanding the above table, two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each if the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

4. Whenever the state highways and transportation commission finds that any state highway bridge in the state is in such a condition that use of such bridge by vehicles of the weights specified in subsection 3 of this section will endanger the bridge, or the users of the bridge, the commission may establish maximum weight limits and speed limits for vehicles using such bridge. The governing body of any city or county may grant authority by act or ordinance to the [state highways and transportation] commission to enact the limitations established in this section on those roadways within the purview of such city or county. Notice of the weight limits and speed limits established by the commission shall be given by posting signs at a conspicuous place at each end of any such bridge.

5. Nothing in this section shall be construed as permitting lawful axle loads, tandem axle loads or gross loads in excess of those permitted under the provisions of [Section 127 of Title 23 of the United States Code] **P.L. 97-424 codified in Title 23 of the United States Code (23 U.S.C. Section 101, et al.), as amended.**

6. Notwithstanding the weight limitations contained in this section, any vehicle or combination of

vehicles operating on highways other than the interstate highway system may exceed single axle, tandem axle and gross weight limitations in an amount not to exceed two thousand pounds. However, total gross weight shall not exceed eighty thousand pounds, except as provided in subsections 9, [and] 10, 12, and 13 of this section.

7. Notwithstanding any provision of this section to the contrary, the [department of transportation] **commission** shall issue a single-use special permit, or upon request of the owner of the truck or equipment, shall issue an annual permit, for the transporting of any concrete pump truck or well-drillers' equipment. The [department of transportation] **commission** shall set fees for the issuance of permits pursuant to this subsection. Notwithstanding the provisions of section 301.133, concrete pump trucks or well-drillers' equipment may be operated on state-maintained roads and highways at any time on any day.

8. Notwithstanding the provision of this section to the contrary, the maximum gross vehicle limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction technology may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this subsection be greater than five hundred fifty pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of idle reduction technology.

9. Notwithstanding any provision of this section or any other law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling milk, from a farm to a processing facility or livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

10. Notwithstanding any provision of this section or any other law to the contrary, any vehicle or combination of vehicles hauling grain or grain coproducts during times of harvest may be as much as, but not exceeding, ten percent over the maximum weight limitation allowable under subsection 3 of this section while operating on highways other than the interstate highway system. The provisions of this subsection shall not apply to vehicles operated and operating on the Dwight D. Eisenhower System of Interstate and Defense Highways.

11. Notwithstanding any provision of this section or any other law to the contrary, the [department of transportation] **commission** shall issue emergency utility response permits for the transporting of utility wires or cables, poles, and equipment needed for repair work immediately following a disaster where utility service has been disrupted. Under exigent circumstances, verbal approval of such operation may be made either by the **department of transportation** motor carrier compliance supervisor or other designated motor carrier services representative. Utility vehicles and equipment used to assist utility companies granted special permits under this subsection may be operated and transported on state-maintained roads and highways at any time on any day. The [department of transportation] **commission** shall promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul

a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be invalid and void.

12. Notwithstanding any provision of this section, emergency vehicles designed to be used under emergency conditions to transport personnel and equipment and to mitigate hazardous situations may have a maximum gross vehicle weight of eighty-six thousand pounds inclusive of twenty-four thousand pounds on a single steering axle; thirty-three thousand five hundred pounds on a single drive axle; sixty-two thousand pounds on a tandem axle; or fifty-two thousand pounds on a tandem rear drive steer axle.

13. Notwithstanding any provision of this section, a vehicle operated by an engine fueled primarily by natural gas may operate upon the public highways of this state in excess of the vehicle weight limits set forth in this section by an amount that is equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system. In no event shall the maximum gross vehicle weight of the vehicle operating with a natural gas engine exceed eighty-two thousand pounds.”; and

Further amend said bill, Page 1, Section 307.005, Line 4, by inserting after all of said section and line the following:

“407.816. 1. As used in subdivision (7) of section 407.815, the term “motor vehicle” shall not include “trailer” as such term is defined in [subdivision (60) of] section 301.010.

2. Prior to August 1, 2002, the provisions of section 407.817, subdivisions (13), (17) and (18) of section 407.825 and section 407.826 shall not apply to recreational vehicle dealers or manufacturers.

3. As of August 1, 2002, the term “motor vehicle” as used in sections 407.810 to 407.835 shall not apply to recreational vehicles as defined in section 407.1320.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 139**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 283**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 225**, entitled:

An Act to repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.005, 304.170, 304.180, 304.190, and 407.816, RSMo, and to enact in lieu thereof twelve new sections relating to transportation.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment No. 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9 as amended, House Amendment No. 1 to House Amendment No. 10, House Amendment No. 2 to House Amendment No. 10, House Amendment No. 10 as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 225, Page 19, Section 304.005, Line 13, by inserting after said section and line the following:

“304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. Upon approaching a stationary emergency vehicle displaying lighted red or red and blue lights, or a stationary vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation or a stationary vehicle owned by a contractor or subcontractor performing work for the department of transportation displaying lighted amber or amber and white lights, the driver of every motor vehicle shall:

(1) Proceed with caution and yield the right-of-way, if possible with due regard to safety and traffic conditions, by making a lane change into a lane not adjacent to that of the stationary vehicle, if on a roadway having at least four lanes with not less than two lanes proceeding in the same direction as the approaching vehicle; or

(2) Proceed with due caution and reduce the speed of the vehicle, maintaining a safe speed for road conditions, if changing lanes would be unsafe or impossible.

3. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

4. An “emergency vehicle” is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, the state water patrol, the Missouri capitol police, a conservation agent, or a state park ranger, those vehicles operated by enforcement personnel of the state highways and transportation commission, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle pursuant to section 307.175;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a

motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established pursuant to the provisions of chapter 44;

(7) Any vehicle operated by an authorized employee of the department of corrections who, as part of the employee's official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility;

(8) Any vehicle designated to perform hazardous substance emergency functions established pursuant to the provisions of sections 260.500 to 260.550; [or]

(9) Any vehicle owned by the state highways and transportation commission and operated by an authorized employee of the department of transportation that is marked as a department of transportation emergency response or motorist assistance vehicle; **or**

(10) Any vehicle owned and operated by the civil support team of the Missouri National Guard while in response to or during operations involving chemical, biological, or radioactive materials or in support of official requests from the state of Missouri involving unknown substances, hazardous materials, or as may be requested by the appropriate state agency acting on behalf of the governor.

5. (1) The driver of any vehicle referred to in subsection 4 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire.

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.025;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as the driver does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions.

(3) The exemptions granted to an emergency vehicle pursuant to subdivision (2) of this subsection shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

6. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

7. Violation of this section shall be deemed a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 225, Page 30, Section 304.190, Line 85, by

inserting immediately after said section and line the following:

“311.367. 1. The provisions of this section shall apply to all persons, firms, or corporations who own and operate more than one premises licensed to sell intoxicating liquor containing alcohol in excess of five percent by weight at retail.

2. Any person, firm, or corporation described in subsection 1 of this section, with the permission of the supervisor of liquor control, may designate one or more places in this state as a central warehouse to which intoxicating liquors, except beer and other intoxicating malt liquor, ordered and purchased by a person, firm, or corporation from licensed wholesalers in this state may be delivered by licensed wholesalers in this state and at which intoxicating liquors so owned by a person, firm, or corporation may be stored.

3. Any person, firm, or corporation described in subsection 1 of this section who owns and stores intoxicating liquors in a central warehouse may transfer all or any part of the intoxicating liquors, except beer and other intoxicating malt liquor, so stored from the central warehouse in this state to any premises licensed to sell intoxicating liquors at retail which is owned and operated by the same person, firm, or corporation and which is located in the state.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 225, Page 30, Section 304.190, Line 85, by inserting after all of said section and line the following:

“304.725. 1. A veteran displaying special license plates issued under section 301.145, 301.443, 301.451, [or] 301.456, [or a veteran who is a Bronze Star recipient] 301.3052, 301.3053, or 301.3075, or a Distinguished Service Cross recipient, Air Force Cross recipient, or Coast Guard Cross recipient who displays a placard issued under subsection 2 of this section may park his or her motor vehicle, weighing not more than six thousand pounds gross weight, without charge, in a metered parking space or in a parking lot or garage on any public college or university in the state of Missouri, except during a special event where a separate parking fee may apply.

2. A veteran who has been awarded the [military service award known as the “Bronze Star”] Distinguished Service Cross, Air Force Cross, Coast Guard Cross, or a veteran who qualifies for a special license plate under subsection 1 of this section may apply to the director of revenue for a removable windshield placard at no cost to the veteran. Upon application, such veteran shall present proof to the director of his or her receipt of such award. Such placard shall be hung from the front, middle rearview mirror of a parked motor vehicle and may not be hung from the mirror during operation. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver’s side.

3. A local authority’s compliance with this section is solely contingent upon the approval of its governing body.

4. This section does not exempt a vehicle displaying special license plates under section 301.145, 301.443, 301.451, [or] 301.456, 301.3052, 301.3053, or 301.3075, or displaying a placard as provided in subsection 2 of this section, from compliance with any other state law or ordinance, including, but not limited to, vehicle height restrictions, zones that prohibit stopping, parking, or standing of all vehicles, parking time limitations, street sweeping, restrictions of the parking space to a particular type of vehicle,

or the parking of a vehicle that is involved in the operation of a street vending business.

5. This section does not authorize a vehicle displaying special license plates under section 301.145, 301.443, 301.451, [or] 301.456, **301.3052, 301.3053, or 301.3075**, or displaying a placard as provided in subsection 2 of this section, to park in a state parking facility that is designated only for state employees.

6. This section does not authorize a vehicle displaying special license plates under section 301.145, 301.443, 301.451, [or] 301.456, **301.3052, 301.3053, or 301.3075**, or displaying a placard as provided in subsection 2 of this section, to park during time periods other than the normal business hours of, or the maximum time allotted by, a state or local authority parking facility.

7. This section does not require the state or a local authority to designate specific parking spaces for vehicles displaying special license plates under section 301.145, 301.443, 301.451, [or] 301.456, **301.3052, 301.3053, or 301.3075**, or displaying a placard as provided in subsection 2 of this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 225, Page 1, Section A, Line 4, by inserting after all of said section and line the following:

“226.520. On and after March 30, 1972, no outdoor advertising shall be erected or maintained within six hundred sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of any highway which is part of the federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System in this state except the following:

(1) Directional and other official signs, including, but not limited to, signs pertaining to natural wonders, scenic, cultural (including agricultural activities or attractions), scientific, educational, religious sites, and historical attractions, which are required or authorized by law, and which comply with regulations which shall be promulgated by the department relative to their lighting, size, number, spacing and such other requirements as may be appropriate to implement sections 226.500 to 226.600, but such regulations shall not be inconsistent with, nor more restrictive than, such national standards as may be promulgated from time to time by the Secretary of the Department of Transportation of the United States, under subsection (c) of Section 131 of Title 23 of the United States Code, **and two-year colleges shall qualify for substantially the same signs as traditional four-year colleges, theological schools, and seminaries;**

(2) Signs, displays, and devices advertising activities conducted on the property upon which they are located, or services and products therein provided;

(3) Outdoor advertising located in areas which are zoned industrial, commercial or the like as provided in sections 226.500 to 226.600 or under other authority of law;

(4) Outdoor advertising located in unzoned commercial or industrial areas as defined and determined pursuant to sections 226.500 to 226.600;

(5) Outdoor advertising for tourist-oriented businesses, and scoreboards used in sporting events or other electronic signs with changeable messages which are not prohibited by federal regulations or local zoning ordinances. Outdoor advertising which is authorized by this subdivision (5) shall only be allowed to the extent that such outdoor advertising is not prohibited by Title 23, United States Code, Section 131, as now

or thereafter amended, and lawful regulations promulgated thereunder. The general assembly finds and declares it to be the policy of the state of Missouri that the tourism industry is of major and critical importance to the economic well-being of the state and that directional signs, displays and devices providing directional information about goods and services in the interest of the traveling public are essential to the economic welfare of the tourism industry. The general assembly further finds and declares that the removal of directional signs advertising tourist-oriented businesses is harmful to the tourism industry in Missouri and that the removal of directional signs within or near areas of the state where there is high concentration of tourist-oriented businesses would have a particularly harmful effect upon the economies within such areas. The state highways and transportation commission is authorized and directed to determine those specific areas of the state of Missouri in which there is high concentration of tourist-oriented businesses, and within such areas, no directional signs, displays and devices which are lawfully erected, which are maintained in good repair, which provide directional information about goods and services in the interest of the traveling public, and which would otherwise be required to be removed because they are not allowed to be maintained under the provisions of sections 226.500 through 226.600 shall be required to be removed until such time as such removal has been finally ordered by the United States Secretary of Transportation;

(6) The provisions of this section shall not be construed to require removal of signs advertising churches or items of religious significance, items of native arts and crafts, woodworking in native products, or native items of artistic, historical, geologic significance, or hospitals or airports.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 225, Page 1, Section A, Line 4, by inserting the following after all of said section and line:

“229.150. 1. All driveways or crossings over ditches connecting highways with the private property shall be made under the supervision of the **road** overseer or commissioners of the road districts.

2. [Any] **No** person or persons [who] shall willfully or knowingly obstruct or damage any public road by obstructing the side or cross drainage or ditches thereof, or by turning water upon such road or right-of-way, or by throwing or depositing brush, trees, stumps, logs, or any refuse or debris whatsoever, in said road, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge or erecting any advertising sign within the lines established for such road, or by changing the location thereof, or shall obstruct **or damage** said road, highway, or drains in any other manner whatsoever[, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than five dollars nor more than two hundred dollars, or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment].

3. **Road damage or obstruction shall not constitute violations under this section when farming or ranching lands have been improved using soil and water conservation practices implemented in conformance with the Missouri soil and water conservation program or natural resources conservation service technical standards.**

4. The road overseer of any district, or county highway engineer, who finds any road **damaged or** obstructed as above specified, [shall] **may** notify the [person] **landowner** violating the provisions of this section, [verbally or] in writing, **using any mail service with delivery tracking**, to remove such obstruction, **to repair such damage in a manner approved by the road overseer or county highway**

engineer making the request, or to pay the reasonable cost of such removal or repair. [Within ten days after being notified, he shall pay the sum of five dollars for each and every day after the tenth day if such obstruction is maintained or permitted to remain; such fine to be recovered by suit brought by the road overseer, in the name of the road district, in any court of competent jurisdiction] **If the landowner fails to remove any obstruction, make any repairs, or remit any payment of costs as requested within thirty days of the tracked delivery date, the road overseer or county highway engineer may petition the associate circuit court of the county in which the land is located to authorize the overseer or engineer or an agent or employee thereof, to enter the landowner's land to remove the obstruction or to repair the damage, in order to restore the roadway or drainage ditch to a condition substantially the same as the adjacent roadways and drainage ditches. Such entry on the landowner's lands shall be limited to the extent necessary to repair the roadway or drainage ditch, and shall constitute no cause of action for trespass. Such authorization and entry shall not be granted until the opportunity for a hearing has been completed and the petition has been granted. The petition shall include an estimate of the costs.**

5. If the court enters a judgment granting the petition and authorizing the actions requested therein, the judgment shall include an award for the reasonable cost of removal or repair, court costs, and reasonable attorney's fees, and shall become a lien on such lands, and shall be collected as state and county taxes are collected by law. If the court denies the petition, the county shall be responsible for the landowner's court costs and reasonable attorney's fees."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 225, Page 5, Section 226.550, Line 34, by deleting all of said line and inserting in lieu thereof the following:

"226.500 to 226.600.

8. Notwithstanding any other provision of law to the contrary, the permit and biennial inspection fees imposed under this section or section 226.540 shall be waived for any signs located on the side of a school bus as defined in section 301.010, owned by a transportation company under contract with a school district for the transportation of students, indicating that the transportation company is currently hiring positions to facilitate the transporting of students. No fines shall be imposed for any such school bus having said signs that is otherwise parked legally."; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 225, Page 1, Section A, Line 4, by inserting immediately after all of said section and line the following:

"226.540. Notwithstanding any other provisions of sections 226.500 to 226.600, outdoor advertising shall be permitted within six hundred and sixty feet of the nearest edge of the right-of-way of highways located on the interstate, federal-aid primary system as it existed on June 1, 1991, or the national highway system as amended in areas zoned industrial, commercial or the like and in unzoned commercial and industrial areas as defined in this section, subject to the following regulations which are consistent with

customary use in this state:

(1) Lighting:

(a) No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent, or moving light or lights will be permitted except scoreboards and other illuminated signs designating public service information, such as time, date, or temperature, or similar information, will be allowed; tri-vision, projection, and other changeable message signs shall be allowed subject to Missouri highways and transportation commission regulations;

(b) External lighting, such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway System and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle;

(c) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal;

(2) Size of signs:

(a) The maximum area for any one sign shall be eight hundred square feet with a maximum height of thirty feet and a maximum length of seventy-two feet, inclusive of border and trim but excluding the base or apron, supports, and other structural members. The area shall be measured as established herein and in rules promulgated by the commission. In determining the size of a conforming or nonconforming sign structure, temporary cutouts and extensions installed for the length of a specific display contract shall not be considered a substantial increase to the size of the permanent display; provided the actual square footage of such temporary cutouts or extensions may not exceed thirty-three percent of the permanent display area. Signs erected in accordance with the provisions of sections 226.500 to 226.600 prior to August 28, 2002, which fail to meet the requirements of this provision shall be deemed legally nonconforming as defined herein;

(b) The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, double faced, or in V-type construction with not more than two displays to each facing, but such sign structure shall be considered as one sign;

(c) After August 28, 1999, no new sign structure shall be erected in which two or more displays are stacked one above the other. Stacked structures existing on or before August 28, 1999, in accordance with sections 226.500 to 226.600 shall be deemed legally nonconforming and may be maintained in accordance with the provisions of sections 226.500 to 226.600. Structures displaying more than one display on a horizontal basis shall be allowed, provided that total display areas do not exceed the maximum allowed square footage for a sign structure pursuant to the provisions of paragraph (a) of this subdivision;

(3) Spacing of signs:

(a) On all interstate highways, freeways, and nonfreeway federal-aid primary highways as of June 1, 1991, and all highways designated as part of the National Highway System by the National Highway System Designation Act of 1995 and those highways subsequently designated as part of the National Highway

System:

a. No sign structure shall be erected within one thousand four hundred feet of an existing sign on the same side of the highway;

b. Outside of incorporated municipalities, no structure may be located adjacent to or within five hundred feet of an interchange, intersection at grade, or safety rest area. Such five hundred feet shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way. For purpose of this subparagraph, the term “incorporated municipalities” shall include “urban areas”, except that such “urban areas” shall not be considered “incorporated municipalities” if it is finally determined that such would have the effect of making Missouri be in noncompliance with the requirements of Title 23, United States Code, Section 131;

(b) The spacing between structure provisions of this subdivision do not apply to signs which are separated by buildings, natural surroundings, or other obstructions in such manner that only one sign facing located within such distance is visible at any one time. Directional or other official signs or those advertising the sale or lease of the property on which they are located, or those which advertise activities on the property on which they are located, including products sold, shall not be counted, nor shall measurements be made from them for the purpose of compliance with spacing provisions;

(c) No sign shall be located in such manner as to obstruct or otherwise physically interfere with the effectiveness of an official traffic sign, signal, or device or obstruct or physically interfere with a motor vehicle operator’s view of approaching, merging, or intersecting traffic;

(d) The measurements in this section shall be the minimum distances between outdoor advertising sign structures measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to outdoor advertising sign structures located on the same side of the highway involved;

(4) As used in this section, the words “unzoned commercial and industrial land” shall be defined as follows: that area not zoned by state or local law or ordinance and on which there is located one or more permanent structures used for a commercial business or industrial activity or on which a commercial or industrial activity is actually conducted together with the area along the highway extending outwardly seven hundred fifty feet from and beyond the edge of such activity. All measurements shall be from the outer edges of the regularly used improvements, buildings, parking lots, landscaped, storage or processing areas of the commercial or industrial activity and along and parallel to the edge of the pavement of the highway. **On nonfreeway primary highways where there is an unzoned commercial or industrial area on one side of the road in accordance with this section, the unzoned commercial or industrial area shall also include those lands located on the opposite side of the highway to the extent of the same dimensions.** Unzoned land shall not include:

(a) Land on the opposite side of the highway from an unzoned commercial or industrial area as defined in this section and located adjacent to highways located on the interstate[, federal-aid primary system as it existed on June 1, 1991, or the national highway system as amended, unless the opposite side of the highway qualifies as a separate unzoned commercial or industrial area] **or primary freeway highways;** or

(b) Land zoned by a state or local law, regulation, or ordinance;

(5) “Commercial or industrial activities” as used in this section means those which are generally recognized as commercial or industrial by zoning authorities in this state, except that none of the following

shall be considered commercial or industrial:

(a) Outdoor advertising structures;

(b) Agricultural, forestry, ranching, grazing, farming, and related activities, including seasonal roadside fresh produce stands;

(c) Transient or temporary activities;

(d) Activities more than six hundred sixty feet from the nearest edge of the right-of-way or not visible from the main traveled way;

(e) Activities conducted in a building principally used as a residence;

(f) Railroad tracks and minor sidings;

(6) The words “unzoned commercial or industrial land” shall also include all areas not specified in this section which constitute an “unzoned commercial or industrial area” within the meaning of the present Section 131 of Title 23 of the United States Code, or as such statute may be amended. As used in this section, the words “zoned commercial or industrial area” shall refer to those areas zoned commercial or industrial by the duly constituted zoning authority of a municipality, county, or other lawfully established political subdivision of the state, or by the state and which is within seven hundred fifty feet of one or more permanent commercial or industrial activities. Commercial or industrial activities as used in this section are limited to those activities:

(a) In which the primary use of the property is commercial or industrial in nature;

(b) Which are clearly visible from the highway and recognizable as a commercial business;

(c) Which are permanent as opposed to temporary or transitory and of a nature that would customarily be restricted to commercial or industrial zoning in areas comprehensively zoned; and

(d) In determining whether the primary use of the property is commercial or industrial pursuant to paragraph (a) of this subdivision, the state highways and transportation commission shall consider the following factors:

a. The presence of a permanent and substantial building;

b. The existence of utilities and local business licenses, if any, for the commercial activity;

c. On-premise signs or other identification;

d. The presence of an owner or employee on the premises for at least twenty hours per week;

(7) In zoned commercial and industrial areas, whenever a state, county or municipal zoning authority has adopted laws or ordinances which include regulations with respect to the size, lighting and spacing of signs, which regulations are consistent with the intent of sections 226.500 to 226.600 and with customary use, then from and after the effective date of such regulations, and so long as they shall continue in effect, the provisions of this section shall not apply to the erection of signs in such areas. Notwithstanding any other provisions of this section, after August 28, 1992, with respect to any outdoor advertising which is regulated by the provisions of subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527:

(a) No county or municipality shall issue a permit to allow a regulated sign to be newly erected without a permit issued by the state highways and transportation commission;

(b) A county or municipality may charge a reasonable one-time permit or inspection fee to assure compliance with local wind load and electrical requirements when the sign is first erected, but a county or municipality may not charge a permit or inspection fee for such sign after such initial fee. Changing the display face or performing routine maintenance shall not be considered as erecting a new sign;

(8) The state highways and transportation commission on behalf of the state of Missouri, may seek agreement with the Secretary of Transportation of the United States under Section 131 of Title 23, United States Code, as amended, that sections 226.500 to 226.600 are in conformance with that Section 131 and provides effective control of outdoor advertising signs as set forth therein. If such agreement cannot be reached and the penalties under subsection (b) of Section 131 are invoked, the attorney general of this state shall institute proceedings described in subsection (1) of that Section 131.

226.550. 1. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527 shall be erected or maintained on or after August 28, 1992, without a one-time permanent permit issued by the state highways and transportation commission. Application for permits shall be made to the state highways and transportation commission on forms furnished by the commission and shall be accompanied by a permit fee of two hundred dollars for all signs; except that, tax-exempt religious organizations as defined in subdivision (11) of section 313.005, service organizations as defined in subdivision (12) of section 313.005, veterans' organizations as defined in subdivision (14) of section 313.005, and fraternal organizations as defined in subdivision (8) of section 313.005 shall be granted a permit for signs less than seventy-six square feet without payment of the fee. **The permit fee of two hundred dollars shall be waived for landowners, provided that the landowner owns both the land upon which the outdoor advertising is placed and the business being advertised on the sign, so long as the business being advertised is located within seven hundred fifty feet of the sign location.** In the event a permit holder fails to erect a sign structure within twenty-four months of issuance, said permit shall expire and a new permit must be obtained prior to any construction.

2. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527 which was erected prior to August 28, 1992, shall be maintained without a one-time permanent permit for outdoor advertising issued by the state highways and transportation commission. If a one-time permanent permit was issued by the state highways and transportation commission after March 30, 1972, and before August 28, 1992, it is not necessary for a new permit to be issued. If a one-time permanent permit was not issued for a lawfully erected and lawfully existing sign by the state highways and transportation commission after March 30, 1972, and before August 28, 1992, a one-time permanent permit shall be issued by the commission for each sign which is lawfully in existence on the day prior to August 28, 1992, upon application and payment of a permit fee of two hundred dollars. All applications and fees due pursuant to this subsection shall be submitted before December 31, 1992. **The permit fee of two hundred dollars shall be waived for landowners, provided that the landowner owns both the land upon which the outdoor advertising is placed and the business being advertised on the sign, so long as the business being advertised is located within seven hundred fifty feet of the sign location.**

3. For purposes of sections 226.500 to 226.600, the terminology "structure lawfully in existence" or "lawfully existing" sign or outdoor advertising shall, nevertheless, include the following signs unless the signs violate the provisions of subdivisions (3) to (7) of subsection 1 of section 226.580:

(1) All signs erected prior to January 1, 1968;

(2) All signs erected before March 30, 1972, but on or after January 1, 1968, which would otherwise be lawful but for the failure to have a permit for such signs prior to March 30, 1972, except that any sign or structure which was not in compliance with sizing, spacing, lighting, or location requirements of sections 226.500 to 226.600 as the sections appeared in the revised statutes of Missouri 1969, wheresoever located, shall not be considered a lawfully existing sign or structure;

(3) All signs erected after March 30, 1972, which are in conformity with sections 226.500 to 226.600;

(4) All signs erected in compliance with sections 226.500 to 226.600 prior to August 28, 2002.

4. On or after August 28, 1992, the state highways and transportation commission may, in addition to the fees authorized by subsections 1 and 2 of this section, collect a biennial inspection fee every two years after a state permit has been issued. Biennial inspection fees due after August 28, 2002, and prior to August 28, 2003, shall be fifty dollars. Biennial inspection fees due on or after August 28, 2003, shall be seventy-five dollars. Biennial inspection fees due on or after August 28, 2004, shall be one hundred dollars; except that, tax-exempt religious organizations as defined in subdivision (11) of section 313.005, service organizations as defined in subdivision (12) of section 313.005, veterans' organizations as defined in subdivision (14) of section 313.005, and fraternal organizations as defined in subdivision (8) of section 313.005 shall not be required to pay such fee. **The biennial inspection fee shall be waived for landowners, provided that the landowner owns both the land upon which the outdoor advertising is placed and the business being advertised on the sign, so long as the business being advertised is located within seven hundred fifty feet of the sign location.**

5. In order to effect the more efficient collection of biennial inspection fees, the state highways and transportation commission is encouraged to adopt a renewal system in which all permits in a particular county are renewed in the same month. In conjunction with the conversion to this renewal system, the state highways and transportation commission is specifically authorized to prorate renewal fees based on changes in renewal dates.

6. Sign owners or owners of the land on which signs are located must apply to the state highways and transportation commission for biennial inspection and submit any fees as required by this section on or before December 31, 1992. For a permitted sign which does not have a permit, a permit shall be issued at the time of the next biennial inspection.

7. The state highways and transportation commission shall deposit all fees received for outdoor advertising permits and inspection fees in the state road fund, keeping a separate record of such fees, and the same may be expended by the commission in the administration of sections 226.500 to 226.600.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 225, Page 19, Section 301.550, Line 125, by inserting after all of said section the following:

“302.441. 1. If a person is required to have an ignition interlock device installed on such person's vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only. Such exemption shall not be granted to a person who is self-employed or who wholly or partially owns **or controls** an entity that owns an employer-owned vehicle.

2. A person who is granted an employment exemption variance under subsection 1 of this section shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, as defined in section 630.005, or an employer-owned vehicle for personal use.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 9

Amend House Amendment No. 9 to House Committee Substitute for Senate Bill No. 225, Page 1, Line 21 by deleting all of said line and inserting in lieu thereof the following:

“have been paid.

301.147. 1. Notwithstanding the provisions of section 301.020 to the contrary, beginning July 1, 2000, the director of revenue may provide owners of motor vehicles, other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of biennially registering motor vehicles. Any vehicle manufactured as an even-numbered model year vehicle shall be renewed each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be renewed each odd-numbered calendar year, subject to the following requirements:

(1) The fee collected at the time of biennial registration shall include the annual registration fee plus a pro rata amount for the additional twelve months of the biennial registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the preceding year that no such taxes were due as set forth in section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application, and proof of insurance as required by section 303.026.

2. Notwithstanding the provisions of subsection 1 of this section and the provisions of section 301.020 to the contrary, beginning January 1, 2018, the director of revenue shall provide owners of motor vehicles other than commercial motor vehicles licensed in excess of fifty-four thousand pounds gross weight, the option of a three-year registration when the vehicle would be ineligible for a biennial registration but eligible for an annual registration under subsection 1 of this section, subject to the following requirements:

(1) The fee collected at the time of three-year registration shall include the biennial registration fee plus a pro rata amount for the additional twelve months of the three-year registration;

(2) Presentation of all documentation otherwise required by law for vehicle registration including, but not limited to, a personal property tax receipt or certified statement for the two preceding years that no such taxes were due as set forth under section 301.025, proof of a motor vehicle safety inspection and any applicable emission inspection conducted within sixty days prior to the date of application, and proof of insurance as required by section 303.026.

3. The director of revenue may prescribe rules and regulations for the effective administration of this section. The director is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is promulgated pursuant to the authority delegated in this section shall become

effective only if it has been promulgated pursuant to the provisions of chapter 536. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 1, 2000, shall be invalid and void.

[3.] **4.** The director of revenue shall have the authority to stagger the registration period of motor vehicles other than commercial motor vehicles licensed in excess of twelve thousand pounds gross weight. Once the owner of a motor vehicle chooses the option of biennial registration, such registration [must] **shall** be maintained for the full twenty-four month period.”; and”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 225, Page 13, Section 301.031, Line 6, by inserting after all of said section and line the following:

“301.136. 1. Any camping or fifth-wheel trailer, as defined in section 407.1320, that is over twenty-five years old may be permanently registered upon payment of a registration fee of fifty-two dollars and fifty cents. Upon the transfer of the title to any such trailer, the registration shall be canceled and the license plates issued therefor shall be returned to the director of revenue.

2. The owner of any such trailer shall file an application in a form prescribed by the director and a certificate of registration shall be issued therefor.

3. Notwithstanding any provision of this section to the contrary, any person possessing license plates issued by the state of Missouri that are over twenty-five years old, in which the year of issuance of such plates is consistent with the year of the manufacture of the camping or fifth-wheel trailer, may register such plates as historic trailer plates as set forth in this section; provided that, the configuration of letters, numbers, or combination of letters and numbers of such plates is not identical to the configuration of letters, numbers, or combination of letters and numbers of any plates already issued to an owner by the director. Such license plates shall not be required to possess the characteristic features of reflective material and common color scheme and design as prescribed by section 301.130. The owner of the historic trailer registered under this section shall keep the certificate of registration in the trailer at all times. The certificate of registration shall be prima facie evidence that the trailer has been properly registered with the director and that all fees have been paid.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Bill No. 225, Page 1, Line 27, by inserting immediately after all of said line the following:

“Further amend said bill, Page 19, Section 301.550, Line 125, by inserting immediately after all of said section and line the following:

“302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person **who is younger than twenty-one years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. **Every person twenty-one years of age or older operating any motorcycle or motortricycle who has been issued an instruction permit shall wear protective headgear at all times the vehicle is in motion. Every person twenty-one years of age or older operating any motorcycle or motortricycle who has neither possessed his or her motorcycle license or motorcycle endorsement for a minimum period of two years nor completed a motorcycle safety education course approved pursuant to sections 302.133 to 302.137 shall wear protective headgear at all times the vehicle is in motion.** The protective headgear shall meet reasonable standards and specifications established by the director. **No person shall be stopped, inspected, or detained solely to determine compliance with this subsection.**

3. Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a misdemeanor. A first violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class D misdemeanor. A second violation of subdivision (1) or (2) of subsection 1 of this section shall be punishable as a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class E felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a misdemeanor, the first violation punishable as a class D misdemeanor, a second or subsequent violation of this section punishable as a class C misdemeanor, and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear. Prior pleas of guilty and prior findings of guilty shall be pleaded and proven in the same manner as required by section 558.021.

302.026. 1. Any qualified motorcycle operator who is twenty-one years of age or older may operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear if he or she has first-party insurance coverage and has completed a motorcycle safety education course approved pursuant to sections 302.133 to 302.137 or possessed his or her motorcycle license or motorcycle endorsement for a minimum period of two years. In addition to maintaining proof of financial responsibility in accordance with chapter 303, any such qualified motorcycle operator who

desires to operate a motorcycle or motortricycle upon any highway of this state without wearing protective headgear shall be covered by a health insurance policy.

2. Proof of coverage required by subsection 1 of this section shall be provided to law enforcement, upon request, by showing documentation indicating the qualified operator has the insurance coverage required by this section. The term “health benefit plan” as used in this section shall have the same meaning assigned to it in section 376.1350.”; and

Further amend said bill, Page 30, Section 407.816, Line 7, by inserting immediately after all of said section and line the following:

“476.385. 1. The judges of the supreme court may appoint a committee consisting of at least seven associate circuit judges, who shall meet en banc and establish and maintain a schedule of fines to be paid for violations of sections 210.104, 577.070, and 577.073, and chapters 252, 301, 302, 304, 306, 307 and 390, with such fines increasing in proportion to the severity of the violation. The associate circuit judges of each county may meet en banc and adopt the schedule of fines and participation in the centralized bureau pursuant to this section. Notice of such adoption and participation shall be given in the manner provided by supreme court rule. Upon order of the supreme court, the associate circuit judges of each county may meet en banc and establish and maintain a schedule of fines to be paid for violations of municipal ordinances for cities, towns and villages electing to have violations of its municipal ordinances heard by associate circuit judges, pursuant to section 479.040; and for traffic court divisions established pursuant to section 479.500. The schedule of fines adopted for violations of municipal ordinances may be modified from time to time as the associate circuit judges of each county en banc deem advisable. No fine established pursuant to this subsection may exceed the maximum amount specified by statute or ordinance for such violation. **Individual political subdivisions, including counties and municipalities, shall be prohibited from imposing a fine for any violation in excess of the fine specified for the violation on the schedule of fines established and maintained by the supreme court under this subsection.**

2. In no event shall any schedule of fines adopted pursuant to this section include offenses involving the following:

- (1) Any violation resulting in personal injury or property damage to another person;
- (2) Operating a motor vehicle while intoxicated or under the influence of intoxicants or drugs;
- (3) Operating a vehicle with a counterfeited, altered, suspended or revoked license;
- (4) Fleeing or attempting to elude an officer.

3. There shall be a centralized bureau to be established by supreme court rule in order to accept pleas of not guilty or guilty and payments of fines and court costs for violations of the laws and ordinances described in subsection 1 of this section, made pursuant to a schedule of fines established pursuant to this section. The centralized bureau shall collect, with any plea of guilty and payment of a fine, all court costs which would have been collected by the court of the jurisdiction from which the violation originated.

4. If a person elects not to contest the alleged violation, the person shall send payment in the amount of the fine and any court costs established for the violation to the centralized bureau. Such payment shall be payable to the central violations bureau, shall be made by mail or in any other manner established by the centralized bureau, and shall constitute a plea of guilty, waiver of trial and a conviction for purposes of section 302.302, and for purposes of imposing any collateral consequence of a criminal conviction provided

by law. By paying the fine and costs, the person also consents to attendance either online or in person at any driver-improvement program or motorcycle-rider training course ordered by the court and consents to verification of such attendance as directed by the bureau. Notwithstanding any provision of law to the contrary, the prosecutor shall not be required to sign any information, ticket or indictment if disposition is made pursuant to this subsection. In the event that any payment is made pursuant to this section by credit card or similar method, the centralized bureau may charge an additional fee in order to reflect any transaction cost, surcharge or fee imposed on the recipient of the credit card payment by the credit card company.

5. If a person elects to plead not guilty, such person shall send the plea of not guilty to the centralized bureau. The bureau shall send such plea and request for trial to the prosecutor having original jurisdiction over the offense. Any trial shall be conducted at the location designated by the court. The clerk of the court in which the case is to be heard shall notify in writing such person of the date certain for the disposition of such charges. The prosecutor shall not be required to sign any information, ticket or indictment until the commencement of any proceeding by the prosecutor with respect to the notice of violation.

6. In courts adopting a schedule of fines pursuant to this section, any person receiving a notice of violation pursuant to this section shall also receive written notification of the following:

(1) The fine and court costs established pursuant to this section for the violation or information regarding how the person may obtain the amount of the fine and court costs for the violation;

(2) That the person must respond to the notice of violation by paying the prescribed fine and court costs, or pleading not guilty and appearing at trial, and that other legal penalties prescribed by law may attach for failure to appear and dispose of the violation. The supreme court may modify the suggested forms for uniform complaint and summons for use in courts adopting the procedures provided by this section, in order to accommodate such required written notifications.

7. Any moneys received in payment of fines and court costs pursuant to this section shall not be considered to be state funds, but shall be held in trust by the centralized bureau for benefit of those persons or entities entitled to receive such funds pursuant to this subsection. All amounts paid to the centralized bureau shall be maintained by the centralized bureau, invested in the manner required of the state treasurer for state funds by sections 30.240, 30.250, 30.260 and 30.270, and disbursed as provided by the constitution and laws of this state. Any interest earned on such fund shall be payable to the director of the department of revenue for deposit into a revolving fund to be established pursuant to this subsection. The state treasurer shall be the custodian of the revolving fund, and shall make disbursements, as allowed by lawful appropriations, only to the judicial branch of state government for goods and services related to the administration of the judicial system.

8. Any person who receives a notice of violation subject to this section who fails to dispose of such violation as provided by this section shall be guilty of failure to appear provided by section 544.665; and may be subject to suspension of driving privileges in the manner provided by section 302.341. The centralized bureau shall notify the appropriate prosecutor of any person who fails to either pay the prescribed fine and court costs, or plead not guilty and request a trial within the time allotted by this section, for purposes of application of section 544.665. The centralized bureau shall also notify the department of revenue of any failure to appear subject to section 302.341, and the department shall thereupon suspend the license of the driver in the manner provided by section 302.341, as if notified by the court.

9. In addition to the remedies provided by subsection 8 of this section, the centralized bureau and the

courts may use the remedies provided by sections 488.010 to 488.020 for the collection of court costs payable to courts, in order to collect fines and court costs for violations subject to this section.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO
HOUSE AMENDMENT NO. 10

Amend House Amendment No. 10 to House Committee Substitute for Senate Bill No. 225, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

“”71.610. 1. No municipal corporation in this state shall have the power to impose a license tax upon any business, avocation, pursuit or calling, unless such business, avocation, pursuit or calling is specially named as taxable in the charter of such municipal corporation, or unless such power be conferred by statute.

2. Notwithstanding any other provision of law, any political subdivision that imposes a local excise or sales tax enacted after January 1, 2017, under article IV, section 30(a) of the Constitution of Missouri shall use no less than ninety percent of such funds collected for the construction, reconstruction, maintenance, and repair of roads and streets and for the payment and interest on indebtedness incurred on account of road and street purposes, and no more than ten percent of such funds collected for policing, signing, lighting, and cleaning roads and streets.

137.095. 1. The real and tangible personal property of all corporations operating in any”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 225, Page 1, Section A, Line 4, by inserting immediately after all of said section and line the following:

“137.095. 1. The real and tangible personal property of all corporations operating in any county in the state of Missouri and in the City of St. Louis, and subject to assessment by county or township assessors, shall be assessed and taxed in the county in which the property is situated on the first day of January of the year for which the taxes are assessed, and every general or business corporation having or owning tangible personal property on the first day of January in each year, which is situated in any other county than the one in which the corporation is located, shall make return to the assessor of the county or township where the property is situated, in the same manner as other tangible personal property is required by law to be returned, except that all motor vehicles which are the property of the corporation and which are subject to regulation under chapter 390 shall be assessed for tax purposes in the county in which the motor vehicles are based.

2. For the purposes of subsection 1 of this section, the term “based” means the place where the vehicle is most frequently dispatched, garaged, serviced, maintained, operated or otherwise controlled, except that leased passenger vehicles shall be assessed at the residence of the driver or, if the residence of the driver is unknown, at the location of the lessee.

3. The assessed valuation of any tractor or trailer as defined in section 301.010 owned by a corporation and used in [interstate] **interjurisdictional** commerce must be apportioned to Missouri based on the ratio of miles traveled in this state to miles traveled in [the United States in interstate] **interjurisdictional** commerce during the preceding tax year or on the basis of the most recent annual mileage figures available **regardless of the state in which the International Registration Plan fleet under which such tractor or**

trailer operates or maintains its base jurisdiction. Where historical distance records are unavailable, the average per vehicle distance chart as described in section 320 of the International Registration Plan and which is provided to counties by department of transportation carrier services, or any other reasonable source of distance data, may be used.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Kehoe, the Senate recessed until 2:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

BILLS DELIVERED TO THE GOVERNOR

HCS for SS for SCS for SB 160, after having been duly signed by the Speaker of the House of Representatives in open session, was delivered to the Governor by the Secretary of the Senate.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS for SB 283**, as amended: Senators Hegeman, Wieland, Schatz, Rizzo and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS for SCS for SB 139**, as amended: Senators Sater, Riddle, Rowden, Schupp and Sifton.

PRIVILEGED MOTIONS

Senator Romine moved that the Senate refuse to concur in **HCS for SCS for SB 355**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Riddle moved that the Senate refuse to concur in **SB 222**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate refuse to concur in **SB 225**, with **HCS**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for HB 460, entitled:

An Act to repeal sections 507.040, 507.050, 508.010, and 537.762, RSMo, and to enact in lieu thereof four new sections relating to civil proceedings.

Was taken up by Senator Munzlinger.

Senator Munzlinger offered **SS for HCS for HB 460**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 460

An Act to repeal sections 507.040, 507.050, 508.010, and 537.762, RSMo, and to enact in lieu thereof four new sections relating to venue requirements in civil actions.

Senator Munzlinger moved that **SS** for **HCS** for **HB 460** be adopted.

Senator Schatz offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 460, Page 2, Section 507.040, Line 5 of said page, by inserting immediately after “2.” the following: “**Notwithstanding any other provision of law to the contrary, any action in which a plaintiff was injured outside the state of Missouri, claims arising out of separate purchases of the same product or service, separate injuries from the same product or service, or separate incidents involving the same product or service shall not satisfy this section.**”

3.”; and further amend line 10 of said page, by striking all of said line and inserting in lieu thereof the following:

“**4. In addition to the requirements of subsections 1 and 2 of this**”; and further amend line 26, by striking all of said line and inserting in lieu thereof the following:

“**5. Notwithstanding the provisions of subsection 4 of this**”; and

Further amend said bill, page 3, section 507.050, line 14 of said page, by striking “3” and inserting in lieu thereof “4”.

Senator Schatz moved that the above amendment be adopted.

Senator Wallingford assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Munzlinger, **HB 460**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 139**, as amended. Representatives: Wood, Alferman, Haefner, Kendrick, Walker (74).

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 283**, as amended. Representatives: Andrews, Wiemann, Mathews, Merideth (80), Wessels.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 35**, entitled:

An Act to repeal section 34.030, RSMo, and to enact in lieu thereof one new section relating to state purchases of land.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 35, Page 2, Section 34.030, Line 31, by inserting after all of said section and line the following:

“Section 1. 1. The director of the department of natural resources is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim to all interest of the department of natural resources in property located in Jackson County, Missouri, to the City of Independence. The property to be conveyed is more particularly described as follows:

TRACT I:

All of Lots 5, 8, 9 and 12, Catherine Atkins Subdivision of Lot 7 of Woodson's Subdivision of Lots 93, 130, 131 and 142, OLD TOWN OF INDEPENDENCE, a Subdivision in Independence, Jackson County, Missouri, lying North of the Lexington Branch of the Missouri Pacific Railroad.

TRACT III:

All of the West half of Lot 141, OLD TOWN OF INDEPENDENCE, a Subdivision in Independence, Jackson County, Missouri, lying North of the Lexington Branch of the Missouri Pacific Railroad.

TRACT IV:

All of the South 281 1/2 feet of the East half of Lot 141, OLD TOWN OF INDEPENDENCE, a Subdivision in Independence, Jackson County, Missouri, except the South 166 1/2 feet thereof and except ALL that part of Lot 141. OLD TOWN INDEPENDENCE, a Subdivision in Independence, Jackson County, Missouri, described as follows: Commencing at the Southeast corner of said Lot 141; thence North along the East line of said Lot 141, a distance of 166 1/2 feet to the true point of beginning; thence continuing North along said East line of said Lot 141, a distance of 115 feet; thence West 100 feet; thence South 115 feet; thence East to the point of beginning, according to the recorded plat thereof.

TRACT V:

All of the West half of Lot 141, OLD TOWN OF INDEPENDENCE, a Subdivision in Independence, Jackson County, Missouri, lying South of the Lexington Branch of the Missouri Pacific Railroad, except the South 166 1/2 feet thereof.

TRACT II:

All of Lot 12, Catherine Atkins Subdivision of Lot 7 of Woodson's Subdivision of Lots 93, 130, 131 and 142, OLD TOWN OF INDEPENDENCE, a Subdivision in Independence, Jackson County, Missouri lying South of the Lexington Branch of Missouri Pacific Railroad.

TRACT VI:

All of the South 166 1/2 feet of Lot 141, OLD TOWN OF INDEPENDENCE, a Subdivision in

Independence, Jackson County, Missouri, except the South 30 feet thereof in street.

Eugene L. Selders and Monica T. Selders were husband and wife when they acquired title to the premises in question and remained husband and wife, continuously, never having been dicorced, until the date of his death on June 24, 1979 at Kansas City, Jackson County, Missouri.

2. The director of the department of natural resources shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the conveyance.

3. The attorney general shall approve the form of the instrument of conveyance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 112**, entitled:

An Act to repeal sections 50.622, 50.740, 54.040, 54.261, 67.402, 67.1360, 71.011, 88.770, 94.900, 94.902, 105.145, 108.170, 137.556, 139.100, 182.640, 182.660, 205.205, 233.295, 242.460, 243.350, 245.185, 321.242, 321.246, 347.048, 473.730, 473.743, 473.747, and 475.120, RSMo, and to enact in lieu thereof thirty-two new sections relating to political subdivisions, with a penalty provision.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8 as amended, House Amendment No. 9 and House Amendment No. 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 19, Section 94.902, Line 13, by inserting immediately after said line the following:

“(6) Any city of the fourth classification with more than two thousand seven hundred inhabitants but fewer than four thousand inhabitants and located in any county of the first classification;”; and

Further amend said bill, page, and section, by renumbering subsequent subdivisions accordingly; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 31, Section 139.100, Line 34, by inserting the following after all of said line:

“142.800. As used in this chapter, the following words, terms and phrases have the meanings given:

(1) “Agricultural purposes”, clearing, terracing or otherwise preparing the ground on a farm; preparing soil for planting and fertilizing, cultivating, raising and harvesting crops; raising and feeding livestock and poultry; building fences; pumping water for any and all uses on the farm, including irrigation; building roads

upon any farm by the owner or person farming the same; operating milking machines; sawing wood for use on a farm; producing electricity for use on a farm; movement of tractors, farm implements and nonlicensed equipment from one field to another;

(2) “Alternative fuel”, electricity, liquefied petroleum gas (LPG or LP gas), compressed natural gas product, or a combination of liquefied petroleum gas and a compressed natural gas or electricity product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, or compressed natural gas;

(3) “Aviation fuel”, any motor fuel specifically compounded for use in reciprocating aircraft engines;

(4) “Blend stock”, any petroleum product component of motor fuel, such as naphtha, reformat, toluene or kerosene, that can be blended for use in a motor fuel without further processing. The term includes those petroleum products presently defined by the Internal Revenue Service in regulations pursuant to 26 U.S.C., Sections 4081 and 4082, as amended. However, the term does not include any substance that:

(a) Will be ultimately used for consumer nonmotor fuel use; and

(b) Is sold or removed in drum quantities (fifty-five gallons) or less at the time of the removal or sale;

(5) “Blended fuel”, a mixture composed of motor fuel and another liquid including blend stock, other than a de minimis amount of a product such as carburetor detergent or oxidation inhibitor, that can be used as a fuel in a highway vehicle. This term includes but is not limited to gasohol, ethanol, methanol, fuel grade alcohol, diesel fuel enhancers and resulting blends;

(6) “Blender”, any person that produces blended motor fuel outside the bulk transfer/terminal system;

(7) “Blending”, the mixing of one or more petroleum products, with or without another product, regardless of the original character of the product blended, if the product obtained by the blending is capable of use or otherwise sold for use in the generation of power for the propulsion of a motor vehicle, an airplane, or a motorboat. The term does not include the blending that occurs in the process of refining by the original refiner of crude petroleum or the blending of products known as lubricating oil and greases;

(8) “Bulk plant”, a bulk motor fuel storage and distribution facility that is not a terminal within the bulk transfer system and from which motor fuel may be removed by truck;

(9) “Bulk transfer”, any transfer of motor fuel from one location to another by pipeline tender or marine delivery within the bulk transfer/terminal system;

(10) “Bulk transfer/terminal system”, the motor fuel distribution system consisting of refineries, pipelines, vessels, and terminals. Motor fuel in a refinery, pipeline, boat, barge or terminal is in the bulk transfer/terminal system. Motor fuel in the fuel supply tank of any engine, or in any tank car, rail car, trailer, truck, or other equipment suitable for ground transportation is not in the bulk transfer/terminal system;

(11) “Consumer”, the user of the motor fuel;

(12) “Delivery”, the placing of motor fuel or any liquid **or propulsion energy** into the **battery**, fuel tank, **or storage device** of a motor vehicle or bulk storage facility;

(13) “Department”, the department of revenue;

(14) “Destination state”, the state, territory, or foreign country to which motor fuel is directed for delivery into a storage facility, a receptacle, a container, or a type of transportation equipment for the purpose of resale or use;

(15) “Diesel fuel”, any liquid that is commonly or commercially known or sold as a fuel that is suitable for use in a diesel-powered highway vehicle. A liquid meets this requirement if, without further processing or blending, the liquid has practical and commercial fitness for use in the propulsion engine of a diesel-powered highway vehicle. “Diesel fuel” does not include jet fuel sold to a buyer who is registered with the Internal Revenue Service to purchase jet fuel and remit taxes on its sale or use to the Internal Revenue Service. “Diesel fuel” does not include biodiesel commonly referred to as B100 and defined in ASTM D6751, B99, or B99.9 until such biodiesel is blended with other diesel fuel or sold for highway use;

(16) “Diesel-powered highway vehicle”, a motor vehicle operated on a highway that is propelled by a diesel-powered engine;

(17) “Director”, the director of revenue;

(18) “Distributor”, a person who either produces, refines, blends, compounds or manufactures motor fuel, imports motor fuel into a state or exports motor fuel out of a state, or who is engaged in distribution of motor fuel;

(19) “Dyed fuel”, diesel fuel or kerosene that is required to be dyed pursuant to United States Environmental Protection Agency rules or is dyed pursuant to Internal Revenue Service rules or pursuant to any other requirements subsequently set by the United States Environmental Protection Agency or Internal Revenue Service including any invisible marker requirements;

(20) “Eligible purchaser”, a distributor who has been authorized by the director to purchase motor fuel on a tax-deferred basis;

(21) “Export”, to obtain motor fuel in this state for sale or other distribution outside of this state. In applying this definition, motor fuel delivered out of state by or for the seller constitutes an export by the seller, and motor fuel delivered out of state by or for the purchaser constitutes an export by the purchaser;

(22) “Exporter”, any person, other than a supplier, who purchases motor fuel in this state for the purpose of transporting or delivering the fuel outside of this state;

(23) “Farm tractor”, all tractor-type, motorized farm implements and equipment but shall not include motor vehicles of the truck-type, pickup truck-type, automobiles, and other motor vehicles required to be registered and licensed each year pursuant to the provisions of the motor vehicle license and registration laws of this state;

(24) “Fuel grade alcohol”, a methanol or ethanol with a proof of not less than one hundred ninety degrees (determined without regard to denaturants) and products derived from such alcohol for blending with motor fuel;

(25) “Fuel transportation vehicle”, any vehicle designed for highway use which is also designed or used to transport motor fuels and includes transport trucks and tank wagons;

(26) “Gasoline”, all products commonly or commercially known or sold as gasoline that are suitable for use as a motor fuel. Gasoline does not include products that have an American Society for Testing and Materials (ASTM) octane number of less than seventy-five as determined by the motor method;

(27) “Gross gallons”, the total measured motor fuel, exclusive of any temperature or pressure adjustments, in U.S. gallons;

(28) “Heating oil”, a motor fuel that is burned in a boiler, furnace, or stove for heating or industrial processing purposes;

(29) “Import”, to bring motor fuel into this state by any means of conveyance other than in the fuel supply tank of a motor vehicle. In applying this definition, motor fuel delivered into this state from out-of-state by or for the seller constitutes an import by the seller, and motor fuel delivered into this state from out-of-state by or for the purchaser constitutes an import by the purchaser;

(30) “Import verification number”, the number assigned by the director with respect to a single transport truck delivery into this state from another state upon request for an assigned number by an importer or the transporter carrying motor fuel into this state for the account of an importer;

(31) “Importer” includes any person who is the importer of record, pursuant to federal customs law, with respect to motor fuel. If the importer of record is acting as an agent, the person for whom the agent is acting is the importer. If there is no importer of record of motor fuel entered into this state, the owner of the motor fuel at the time it is brought into this state is the importer;

(32) “Interstate motor fuel user”, any person who operates a motor fuel-powered motor vehicle with a licensed gross weight exceeding twenty-six thousand pounds that travels from this state into another state or from another state into this state;

(33) “Invoiced gallons”, the gallons actually billed on an invoice for payment to a supplier which shall be either gross or net gallons on the original manifest or bill of lading;

(34) “K-1 kerosene”, a petroleum product having an A.P.I. gravity of not less than forty degrees, at a temperature of sixty degrees Fahrenheit and a minimum flash point of one hundred degrees Fahrenheit with a sulfur content not exceeding four one-hundredths percent by weight;

(35) “Kerosene”, the petroleum fraction containing hydrocarbons that are slightly heavier than those found in gasoline and naphtha, with a boiling range of one hundred forty-nine to three hundred degrees Celsius;

(36) “Liquid”, any substance that is liquid in excess of sixty degrees Fahrenheit and at a pressure of fourteen and seven-tenths pounds per square inch absolute;

(37) “Motor fuel”, gasoline, diesel fuel, kerosene and blended fuel;

(38) “Motor vehicle”, any automobile, truck, truck-tractor or any motor bus or self-propelled vehicle not exclusively operated or driven upon fixed rails or tracks. The term does not include:

(a) Farm tractors or machinery including tractors and machinery designed for off-road use but capable of movement on roads at low speeds, or

(b) A vehicle solely operated on rails;

(39) “Net gallons”, the motor fuel, measured in U.S. gallons, when corrected to a temperature of sixty degrees Fahrenheit and a pressure of fourteen and seven-tenths pounds per square inch absolute (psi);

(40) “Permissive supplier”, an out-of-state supplier that elects, but is not required, to have a supplier’s

license pursuant to this chapter;

(41) “Person”, natural persons, individuals, partnerships, firms, associations, corporations, estates, trustees, business trusts, syndicates, this state, any county, city, municipality, school district or other political subdivision of the state, federally recognized Indian tribe, or any corporation or combination acting as a unit or any receiver appointed by any state or federal court;

(42) “Position holder”, the person who holds the inventory position in motor fuel in a terminal, as reflected on the records of the terminal operator. A person holds the inventory position in motor fuel when that person has a contract with the terminal operator for the use of storage facilities and terminating services for motor fuel at the terminal. The term includes a terminal operator who owns motor fuel in the terminal;

(43) “Propel”, the operation of a motor vehicle, whether it is in motion or at rest;

(44) “Public highway”, every road, toll road, highway, street, way or place generally open to the use of the public as a matter of right for the purposes of vehicular travel, including streets and alleys of any town or city notwithstanding that the same may be temporarily closed for construction, reconstruction, maintenance or repair;

(45) “Qualified terminal”, a terminal which has been assigned a terminal control number (“tcn”) by the Internal Revenue Service;

(46) “Rack”, a mechanism for delivering motor fuel from a refinery or terminal into a railroad tank car, a transport truck or other means of bulk transfer outside of the bulk transfer/terminal system;

(47) “Refiner”, any person that owns, operates, or otherwise controls a refinery;

(48) “Refinery”, a facility used to produce motor fuel from crude oil, unfinished oils, natural gas liquids, or other hydrocarbons and from which motor fuel may be removed by pipeline, by boat or barge, or at a rack;

(49) “Removal”, any physical transfer of motor fuel from a terminal, manufacturing plant, customs custody, pipeline, boat or barge, refinery or any facility that stores motor fuel;

(50) “Retailer”, a person that engages in the business of selling or dispensing to the consumer within this state;

(51) “Supplier”, a person that is:

(a) Registered or required to be registered pursuant to 26 U.S.C., Section 4101, for transactions in motor fuels in the bulk transfer/terminal distribution system; and

(b) One or more of the following:

a. The position holder in a terminal or refinery in this state;

b. Imports motor fuel into this state from a foreign country;

c. Acquires motor fuel from a terminal or refinery in this state from a position holder pursuant to either a two-party exchange or a qualified buy-sell arrangement which is treated as an exchange and appears on the records of the terminal operator; or

d. The position holder in a terminal or refinery outside this state with respect to motor fuel which that

person imports into this state. A terminal operator shall not be considered a supplier based solely on the fact that the terminal operator handles motor fuel consigned to it within a terminal. "Supplier" also means a person that produces fuel grade alcohol or alcohol-derivative substances in this state, produces fuel grade alcohol or alcohol-derivative substances for import to this state into a terminal, or acquires upon import by truck, rail car or barge into a terminal, fuel grade alcohol or alcohol-derivative substances. "Supplier" includes a permissive supplier unless specifically provided otherwise;

(52) "Tank wagon", a straight truck having multiple compartments designed or used to carry motor fuel;

(53) "Terminal", a bulk storage and distribution facility which includes:

(a) For the purposes of motor fuel, is a qualified terminal;

(b) For the purposes of fuel grade alcohol, is supplied by truck, rail car, boat, barge or pipeline and the products are removed at a rack;

(54) "Terminal bulk transfers" include but are not limited to the following:

(a) Boat or barge movement of motor fuel from a refinery or terminal to a terminal;

(b) Pipeline movements of motor fuel from a refinery or terminal to a terminal;

(c) Book transfers of product within a terminal between suppliers prior to completion of removal across the rack; and

(d) Two-party exchanges or buy-sell supply arrangements within a terminal between licensed suppliers;

(55) "Terminal operator", any person that owns, operates, or otherwise controls a terminal. A terminal operator may own the motor fuel that is transferred through or stored in the terminal;

(56) "Transmix", the buffer or interface between two different products in a pipeline shipment, or a mix of two different products within a refinery or terminal that results in an off-grade mixture;

(57) "Transport truck", a semitrailer combination rig designed or used to transport motor fuel over the highways;

(58) "Transporter", any operator of a pipeline, barge, railroad or transport truck engaged in the business of transporting motor fuels;

(59) "Two-party exchange", a transaction in which the motor fuel is transferred from one licensed supplier or licensed permissive supplier to another licensed supplier or licensed permissive supplier and:

(a) Which transaction includes a transfer from the person that holds the original inventory position for motor fuel in the terminal as reflected on the records of the terminal operator; and

(b) The exchange transaction is simultaneous with removal from the terminal by the receiving exchange partner. However, in any event, the terminal operator in its books and records treats the receiving exchange party as the supplier which removes the product across a terminal rack for purposes of reporting such events to this state;

(60) "Ultimate vendor", a person that sells motor fuel to the consumer;

(61) "Undyed diesel fuel", diesel fuel that is not subject to the United States Environmental Protection Agency dyeing requirements, or has not been dyed in accordance with Internal Revenue Service fuel dyeing

provisions; and

(62) “Vehicle fuel tank”, any receptacle on a motor vehicle from which fuel is supplied for the propulsion of the motor vehicle.

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, seventeen cents per gallon;

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080 to be collected as required under this chapter;

(4) Compressed natural gas fuel, five cents per gasoline gallon equivalent until December 31, 2019, eleven cents per gasoline gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per gasoline gallon equivalent thereafter. The gasoline gallon equivalent and method of sale for compressed natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof. In the absence of such standard or agreement, the gasoline gallon equivalent and method of sale for compressed natural gas shall be equal to five and sixty-six-hundredths pounds of compressed natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on compressed natural gas, including but not limited to licensing, reporting, penalties, and interest;

(5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31, 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024, and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and method of sale for liquefied natural gas shall be as published by the National Institute of Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions thereof.

In the absence of such standard or agreement, the diesel gallon equivalent and method of sale for liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied natural gas. All applicable provisions contained in this chapter governing administration, collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on liquefied natural gas, including but not limited to licensing, reporting, penalties, and interest;

(6) Propane gas fuel, five cents per gallon until December 31, 2019, eleven cents per gallon from January 1, 2020, until December 31, 2024, and then seventeen cents per gallon thereafter. All applicable provisions contained in this chapter governing administration, collection, and enforcement of the state motor fuel tax shall apply to the tax imposed on propane gas including, but not limited to, licensing, reporting, penalties, and interest;

(7) If a natural gas, compressed natural gas, [or] liquefied natural gas, **electric, or propane** connection

is used for fueling motor vehicles and for another use, such as heating, the tax imposed by this section shall apply to the entire amount of natural gas, compressed natural gas, [or] liquefied natural gas, **electricity, or propane** used unless an approved separate metering and accounting system is in place.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.

142.869. 1. The tax imposed by this chapter shall not apply to passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by alternative fuel, and for which a valid decal has been acquired as provided in this section, provided that sales made to alternative fueled vehicles powered by **propane**, compressed natural gas, or liquefied natural gas that do not meet the requirements of subsection 3 of this section shall be taxed exclusively pursuant to subdivisions (4) [and (5)] **to (7)** of subsection 1 of section 142.803, respectively. The owners or operators of such motor vehicles, **except plug-in electric hybrids**, shall, in lieu of the tax imposed by section 142.803, pay an annual alternative fuel decal fee as follows: seventy-five dollars on each passenger motor vehicle, school bus as defined in section 301.010, and commercial motor vehicle with a licensed gross vehicle weight of eighteen thousand pounds or less; one hundred dollars on each motor vehicle with a licensed gross weight in excess of eighteen thousand pounds but not more than thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; one hundred fifty dollars on each motor vehicle with a licensed gross vehicle weight in excess of eighteen thousand pounds but less than or equal to thirty-six thousand pounds, and each passenger-carrying motor vehicle subject to the registration fee provided in sections 301.059, 301.061 and 301.063; two hundred fifty dollars on each motor vehicle with a licensed gross weight in excess of thirty-six thousand pounds used for farm or farming transportation operations and registered with a license plate designated with the letter "F"; and one thousand dollars on each motor vehicle with a licensed gross vehicle weight in excess of thirty-six thousand pounds. **Owners or operators of plug-in electric hybrids shall pay one-half of the stated annual alternative fuel decal fee.** Notwithstanding provisions of this section to the contrary, motor vehicles licensed as historic under section 301.131 which are powered by alternative fuel shall be exempt from both the tax imposed by this chapter and the alternative fuel decal requirements of this section. **For the purposes of this section, a plug-in electric hybrid shall be any hybrid vehicle made by a manufacturer with a model year of 2018 or newer, that has not been modified from the original manufacturer specifications, with an internal combustion engine and batteries that can be recharged by connecting a plug to an electric power source.**

2. Except interstate fuel users and vehicles licensed under a reciprocity agreement as defined in section 142.617, the tax imposed by section 142.803 shall not apply to motor vehicles registered outside this state which are powered by alternative fuel other than **propane**, compressed natural gas, and liquefied natural gas, and for which a valid temporary alternative fuel decal has been acquired as provided in this section. The owners or operators of such motor vehicles shall, in lieu of the tax imposed by section 142.803, pay a temporary alternative fuel decal fee of eight dollars on each such vehicle. Such decals shall be valid for a period of fifteen days from the date of issuance and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued. Such decal and fee shall not be transferable. All proceeds from such decal fees shall be deposited as specified in section 142.345. Alternative fuel dealers selling such decals in accordance with rules and regulations prescribed by the director shall be allowed to retain fifty cents for each decal fee timely remitted to the director.

3. Owners or operators of passenger motor vehicles, buses as defined in section 301.010, or commercial motor vehicles registered in this state which are powered by compressed natural gas or liquefied natural gas who have installed a compressed natural gas fueling station or liquefied natural gas fueling station used solely to fuel the motor vehicles they own or operate as of December 31, 2015, may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivisions (4) and (5) of subsection 1 of section 142.803. Owners or operators of compressed natural gas fueling stations or liquefied natural gas fueling stations whose vehicles bear an alternative fuel decal shall be prohibited from selling or providing compressed natural gas or liquefied natural gas to any motor vehicle they do not own or operate. Owners or operators of motor vehicles powered by compressed natural gas or liquefied natural gas bearing an alternative fuel decal after January 1, 2016, that decline to renew the alternative fuel decals for such motor vehicles shall no longer be eligible to apply for and use alternative fuel decals under this subsection. Any compressed natural gas or liquefied natural gas obtained at any fueling station not owned by the owner or operator of the motor vehicle bearing an alternative fuel decal shall be subject to the tax under subdivisions (4) and (5) of subsection 1 of section 142.803.

4. An owner or operator of a motor vehicle powered by propane may continue to apply for and use the alternative fuel decal in lieu of paying the tax imposed under subdivision (6) of subsection 1 of section 142.803. If the appropriate motor fuel tax under subdivision (6) of subsection 1 of section 142.803 is collected at the time of fueling, an operator of a propane fueling station that uses quick-connect fueling nozzles may sell propane as a motor fuel without verifying the application of a valid Missouri alternative fuel decal. If an owner or operator of a motor vehicle powered by propane that bears an alternative fuel decal refuels at an unattended propane refueling station, such owner or operator shall not be eligible for a refund of the motor fuel tax paid at such refueling.

5. The director shall annually, on or before January thirty-first of each year, collect or cause to be collected from owners or operators of the motor vehicles specified in subsection 1 of this section the annual decal fee. Applications for such decals shall be supplied by the department of revenue. In the case of a motor vehicle which is not in operation by January thirty-first of any year, a decal may be purchased for a fractional period of such year, and the amount of the decal fee shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year. **This subsection shall not apply to an owner or operator of a motor vehicle powered by propane who fuels such vehicle exclusively at unattended fueling stations that collect the motor fuel tax.**

[5.] 6. Upon the payment of the fee required by subsection 1 of this section, the director shall issue a decal, which shall be valid for the current calendar year and shall be attached to the lower right-hand corner of the front windshield on the motor vehicle for which it was issued.

[6.] 7. The decal fee paid pursuant to subsection 1 of this section for each motor vehicle shall be transferable upon a change of ownership of the motor vehicle and, if the LP gas or natural gas equipment is removed from a motor vehicle upon a change of ownership and is reinstalled in another motor vehicle, upon such reinstallation. Such transfers shall be accomplished in accordance with rules and regulations promulgated by the director.

[7.] 8. It shall be unlawful for any person to operate a motor vehicle required to have an alternative fuel decal upon the highways of this state without a valid decal **unless the motor vehicle is exclusively fueled at propane, compressed natural gas, or liquefied natural gas fueling stations that collect the motor fuel tax.**

[8.] **9.** No person shall cause to be put, or put, [LP gas] **any alternative fuel** into the fuel supply receptacle **or battery** of a motor vehicle required to have an alternative fuel decal unless the motor vehicle **either** has a valid decal attached to it **or the appropriate motor fuel tax is collected at the time of such fueling.** [Sales of fuel placed in the supply receptacle of a motor vehicle displaying such decal shall be recorded upon an invoice, which invoice shall include the decal number, the motor vehicle license number and the number of gallons placed in such supply receptacle.]

[9.] **10.** Any person violating any provision of this section is guilty of an infraction and shall, upon conviction thereof, be fined five hundred dollars.

[10.] **11.** Motor vehicles displaying a valid alternative fuel decal are exempt from the licensing and reporting requirements of this chapter.”; and

Further amend said bill, Page 52, Section 1, Line 62, by inserting the following after all of said line:

“Section 2. Notwithstanding any other provision of law, any political subdivision that imposes a local excise or sales tax enacted after January 1, 2017, under article IV, section 30(a) of the Constitution of Missouri shall use no less than ninety percent of such funds collected for the construction, reconstruction, maintenance, and repair of roads and streets and for the payment and interest on indebtedness incurred on account of road and street purposes, and no more than ten percent of such funds collected for policing, signing, lighting, and cleaning roads and streets.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 50, Section 475.120, Line 42, by inserting immediately after all of said section and line the following:

“488.2206. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within [the thirty-first judicial circuit] **any judicial circuit composed of a single noncharter county** in all **civil and** criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance, or resolution by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of the political subdivision authorizing such surcharge, **who shall deposit the funds in a separate account known as the “justice center fund”, to be established and maintained by the political subdivision.**

2. Each county or municipality shall use all funds received pursuant to this section only to pay for the costs associated with the land assemblage and purchase, **planning**, construction, maintenance, and operation of any county or municipal judicial facility **or justice center** including, but not limited to, **architectural, engineering, and other plans and studies**, debt service, utilities, maintenance, and building security. The

county or municipality shall maintain records identifying [such operating costs, and any moneys not needed for the operating costs of the county or municipal judicial facility shall be transmitted quarterly to the general revenue fund of the county or municipality respectively] **all funds received and expenditures made from their respective center funds.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 10, Section 67.1360, Line 135, by inserting the following after all of said section and line:

"68.075. 1. This section shall be known and may be cited as the "Advanced Industrial Manufacturing Zones Act".

2. As used in this section, the following terms shall mean:

(1) "AIM zone", an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) "**County average wage**", the average wage in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(3) "New job", the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the [state] **county** average wage.

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority's jurisdiction, **ownership, or control** and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority's jurisdiction **or under the port authority's ownership or control and may be expanded or contracted by resolution of the port authority board of commissioners.**

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within such zone after development or redevelopment has commenced shall not be remitted to the general **revenue** fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the “Port Authority AIM Zone Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 45, Section 321.246, Line 10, by inserting after the word “thousand,” the following:

“the governing body of any fire protection district that operates in a county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants, the governing body of any fire protection district that operates in a county of the first classification with more than eighty-three thousand but fewer than ninety-two thousand inhabitants and with a city of the fourth classification with more than four thousand five hundred but fewer than five thousand inhabitants as the county seat,”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 34, Section 182.660, Line 38, by inserting after said section and line the following:

“190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as “emergency services”, and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of

this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of (insert name of county) impose a county sales tax of (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who

shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years. Notwithstanding any other provision of law, if there is no candidate for an open position on the board, then no election shall be held for that position and it shall be considered vacant, to be filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open position, no election shall be held and the candidate or candidates shall assume office at the same time and in the same manner as if elected.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants or in any county of the third classification with a township form of government and with more than twenty-eight thousand but fewer than thirty-one thousand inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339. Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a political subdivision of the state for any purpose, unless and until an order is entered upon an unanimous vote of the commissioners of the county in which such board is established reclassifying such board as a corporate body and political subdivision of the state. The order shall approve the transfer of the assets and liabilities related to the operation of the emergency **telephone** service 911 system to the new entity created by the reclassification of the board.

12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.

(2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:

- (a) The head of any of the county's fire protection districts, or a designee;
- (b) The head of any of the county's ambulance districts, or a designee;
- (c) The county sheriff, or a designee;
- (d) The head of any of the police departments in the county, or a designee; and
- (e) The head of any of the county's emergency management organizations, or a designee.

(3) Upon the appointment of the board under this subsection, the board shall have the power provided

in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.

(4) In any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants **and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants, the board shall include one member from each of the five entities listed in subdivision (2) of this subsection [shall be represented on the board by at least one member] and two “public members” who shall be residents of the county and not affiliated with any of the entities listed under subdivision (2) of this subsection.”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 1, Line 13, by deleting the phrase “[load] **rate**” and inserting in lieu thereof the word “load”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 47, Section 347.048, Line 18, by inserting immediately after said section and line the following:

“393.1075. 1. This section shall be known as the “Missouri Energy Efficiency Investment Act”.

2. As used in this section, the following terms shall mean:

(1) “Commission”, the Missouri public service commission;

(2) “Demand response”, measures that decrease peak demand or shift demand to off-peak periods;

(3) “Demand-side program”, any program conducted by the utility to modify the net consumption of electricity on the retail customer’s side of the electric meter, including but not limited to energy efficiency measures, [load] **rate** management, demand response, and interruptible or curtailable load;

(4) “Energy efficiency”, measures that reduce the amount of electricity required to achieve a given end use;

(5) “Interruptible or curtailable rate”, a rate under which a customer receives a reduced charge in exchange for agreeing to allow the utility to withdraw the supply of electricity under certain specified conditions;

(6) “Total resource cost test”, a test that compares the sum of avoided utility costs and avoided probable environmental compliance costs to the sum of all incremental costs of end-use measures that are implemented due to the program, as defined by the commission in rules.

3. It shall be the policy of the state to value demand-side investments equal to traditional investments in supply and delivery infrastructure and allow recovery of all reasonable and prudent costs of delivering cost-effective demand-side programs. In support of this policy, the commission shall:

(1) Provide timely cost recovery for utilities;

(2) Ensure that utility financial incentives are aligned with helping customers use energy more efficiently and in a manner that sustains or enhances utility customers' incentives to use energy more efficiently; and

(3) Provide timely earnings opportunities associated with cost-effective measurable and verifiable efficiency savings.

4. The commission shall permit electric corporations to implement commission-approved demand-side programs proposed pursuant to this section with a goal of achieving all cost-effective demand-side savings. Recovery for such programs shall not be permitted unless the programs are approved by the commission, result in energy or demand savings and are beneficial to all customers in the customer class in which the programs are proposed, regardless of whether the programs are utilized by all customers. The commission shall consider the total resource cost test a preferred cost-effectiveness test. Programs targeted to low-income customers or general education campaigns do not need to meet a cost-effectiveness test, so long as the commission determines that the program or campaign is in the public interest. Nothing herein shall preclude the approval of demand-side programs that do not meet the test if the costs of the program above the level determined to be cost-effective are funded by the customers participating in the program or through tax or other governmental credits or incentives specifically designed for that purpose.

5. To comply with this section the commission may develop cost recovery mechanisms to further encourage investments in demand-side programs including, in combination and without limitation: capitalization of investments in and expenditures for demand-side programs, rate design modifications, accelerated depreciation on demand-side investments, and allowing the utility to retain a portion of the net benefits of a demand-side program for its shareholders. In setting rates the commission shall fairly apportion the costs and benefits of demand-side programs to each customer class except as provided for in subsection 6 of this section. Prior to approving a rate design modification associated with demand-side cost recovery, the commission shall conclude a docket studying the effects thereof and promulgate an appropriate rule.

6. The commission may reduce or exempt allocation of demand-side expenditures to low-income classes, as defined in an appropriate rate proceeding, as a subclass of residential service.

7. Provided that the customer has notified the electric corporation that the customer elects not to participate in demand-side measures offered by an electrical corporation, none of the costs of demand-side measures of an electric corporation offered under this section or by any other authority, and no other charges implemented in accordance with this section, shall be assigned to any account of any customer, including its affiliates and subsidiaries, meeting one or more of the following criteria:

(1) The customer has one or more accounts within the service territory of the electrical corporation that has a demand of five thousand kilowatts or more;

(2) The customer operates an interstate pipeline pumping station, regardless of size; or

(3) The customer has accounts within the service territory of the electrical corporation that have, in aggregate, a demand of two thousand five hundred kilowatts or more, and the customer has a comprehensive demand-side or energy efficiency program and can demonstrate an achievement of savings at least equal to those expected from utility-provided programs.

8. Customers that have notified the electrical corporation that they do not wish to participate in demand-

side programs under this section shall not subsequently be eligible to participate in demand-side programs except under guidelines established by the commission in rulemaking.

9. Customers who participate in demand-side programs initiated after August 1, 2009, shall be required to participate in program funding for a period of time to be established by the commission in rulemaking.

10. Customers electing not to participate in an electric corporation's demand-side programs under this section shall still be allowed to participate in interruptible or curtailable rate schedules or tariffs offered by the electric corporation.

11. The commission shall provide oversight and may adopt rules and procedures and approve corporation-specific settlements and tariff provisions, independent evaluation of demand-side programs, as necessary, to ensure that electric corporations can achieve the goals of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

12. Each electric corporation shall submit an annual report to the commission describing the demand-side programs implemented by the utility in the previous year. The report shall document program expenditures, including incentive payments, peak demand and energy savings impacts and the techniques used to estimate those impacts, avoided costs and the techniques used to estimate those costs, the estimated cost-effectiveness of the demand-side programs, and the net economic benefits of the demand-side programs.

13. Charges attributable to demand-side programs under this section shall be clearly shown as a separate line item on bills to the electrical corporation's customers.

14. [(1) Any customer of an electrical corporation who has received a state tax credit under sections 135.350 to 135.362 or under sections 253.545 to 253.561 shall not be eligible for participation in any demand-side program offered by an electrical corporation under this section if such program offers a monetary incentive to the customer, except as provided in subdivision (4) of this subsection.

(2) As a condition of participation in any demand-side program offered by an electrical corporation under this section when such program offers a monetary incentive to the customer, the commission shall develop rules that require documentation to be provided by the customer to the electrical corporation to show that the customer has not received a tax credit listed in subdivision (1) of this subsection.

(3) The penalty for a customer who provides false documentation under subdivision (2) of this subsection shall be a class A misdemeanor.

(4) The provisions of this subsection shall not apply to any low-income customer who would otherwise be eligible to participate in a demand-side program that is offered by an electrical corporation to low-income customers.

15.] The commission shall develop rules that provide for disclosure of participants in all demand-side programs offered by electrical corporations under this section when such programs provide monetary incentives to the customer. The disclosure required by this subsection may include, but not be limited to,

the following: the name of the participant, or the names of the [principles] **principals** if for a company, the property address, and the amount of the monetary incentive received.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 15, Section 88.770, Line 41, by inserting after all of said section and line the following:

”92.020. Any such municipality is hereby authorized by ordinance to levy a rate of taxation on all property subject to its taxing power for library, hospital, public health, recreation grounds and museum purposes, and the rate of taxation levied for such purposes shall be in addition to the maximum rate of taxation levied for general municipal purposes, as limited by the constitution or laws of this state. No tax levied for the special purposes enumerated in this section shall exceed the following annual rates:

(1) Library, in the manner and at the rate authorized under the provisions of sections 182.140 to 182.301;

(2) Hospital, ten cents on the hundred dollars assessed valuation;

(3) Public health, [two] **sixty** cents on the hundred dollars assessed valuation;

(4) Recreation grounds other than zoological park, two cents on the hundred dollars assessed valuation;

(5) Zoological park, in the manner and at the rate authorized under the provisions of sections 90.640 and 90.650;

(6) Art museum, in the manner and at the rate authorized by law.

92.024. 1. The governing body of any city not within a county may, upon approval of a majority of the qualified voters of such city voting thereon, levy and collect a tax not to exceed sixty cents per one hundred dollars of assessed valuation upon all taxable property within the city for the purpose of providing public safety services. The tax so levied shall be collected along with other city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund for the provision of public safety services, and shall be used for no other purpose except those purposes authorized in sections 92.024 to 92.026. Deposits in the fund shall be expended only upon approval of the board of directors established in section 92.025 and only in accordance with the fund budget approved by the city governing body.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of city) levy a tax of cents per each one hundred dollars assessed valuation for the purpose of providing public safety services?

☐ YES

☐ NO

92.025. 1. Upon the approval of the tax authorized under section 92.024 by the voters of the city not within a county, the tax so approved shall be imposed upon all taxable property within the city and the proceeds therefrom shall be deposited in a special fund, to be known as the “Public Safety

Services Fund”, which is hereby established within the city treasury. No moneys in the public safety services fund shall be spent until the board of directors provided for in subsection 2 of this section has been appointed and has taken office.

2. Upon approval of the tax authorized under section 92.024 by the voters of the city, the mayor of the city shall appoint a board of directors consisting of seven directors, who shall be selected from the city at large and shall, as nearly as practicable, represent the various groups to be served by the board. Each director shall be a resident of the city. Each director shall be appointed to serve for a term of four years and until his successor is duly appointed and qualified; except that, of the directors first appointed, one director shall be appointed for a term of one year, two directors shall be appointed for a term of two years, two directors shall be appointed for a term of three years, and two directors shall be appointed for a term of four years. Directors may be reappointed. All vacancies on the board of directors shall be filled for the remainder of the unexpired term by the mayor of the city. The directors shall not receive any compensation for their services, but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties from the moneys in the public safety services fund.

3. The administrative control and management of the funds in the public safety services fund and all programs to be funded therefrom shall rest solely with the board of directors appointed under subsection 2 of this section; except that, the budget for the public safety services fund shall be approved by the governing body of the city prior to the making of any payments from the fund in any fiscal year. The board of directors shall use the funds in the public safety services fund to provide programs or to pay for existing programs which will improve public safety. The budget may allocate funds for public safety services, including the compensation of public safety personnel who serve in the city in which such property taxes are collected. No funds in the public safety services fund may be used, directly or indirectly, for any political purpose. In providing such services, the board of directors may contract with any person to provide services relating, in whole or in part, to the services which the board itself may provide under this section, and for such purpose may expend the tax proceeds derived from the tax authorized by section 92.024.

4. The board of directors shall elect a chairman, vice chairman, and such other officers as it deems necessary; shall establish eligibility requirements for the programs it furnishes; and shall do all other things necessary to carry out the purposes of sections 92.024 to 92.026. A majority of the board of directors shall constitute a quorum.

5. The board of directors, with the approval of the governing body of the city, may accept any gift of property or money for the use and benefit of the persons to be served through the programs established and funded under sections 92.024 to 92.026, and may sell or exchange any such property so long as such sale or exchange is in the best interests of the programs provided under sections 92.024 to 92.026 and the proceeds from such sale or exchange are used exclusively to fund such programs.

92.026. 1. If the tax, special fund, and board of directors authorized by sections 92.024 to 92.026 are repealed or abolished, all funds remaining in the special fund shall be transferred to the general revenue fund of the city not within a county.

2. If the governing body of the city shall determine that an audit is necessary or desirable, the accounts of the board of directors shall be audited by a certified public accountant selected by the

governing body of the city. An audit performed under this subsection shall also review the records of the receipts and disbursements and the property inventory of every officer or office of the board of directors which receives or disburses money on behalf of the board or which holds property belonging to the board. Upon the completion of the investigation, the certified public accountant shall render a report to the governing body of the city, along with a statement showing, under appropriate classifications, the receipts and disbursements of the board of directors during the period of the audit. The expense of an audit performed under this subsection shall be paid by the board of directors from funds in the public safety services fund.”; and

Further amend said bill and page 52, Section 475.747, Line 4, by inserting after said section and line the following:

“Section B. Because of the importance of providing for public safety, the repeal and reenactment of section 92.020 and the enactment of sections 92.024, 92.025, and 92.026 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 92.020 and the enactment of sections 92.024, 92.025, and 92.026 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, Page 3, Section 50.740, Line 25, by inserting after all of said line the following:

“52.290. 1. In all counties except counties having a charter form of government before January 1, 2008, and any city not within a county, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of [seven] **nine** percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. [Two-sevenths] **Of the nine percent** of the fees collected pursuant to the provisions of this section **two-ninths** shall be paid into the county general fund, two-[sevenths] **ninths** of the fees collected pursuant to the provisions of this section shall be paid into the tax maintenance fund of the county as required by section 52.312, and [three-sevenths] **five-ninths** of the fees collected pursuant to the provisions of this section shall be paid into the county employees’ retirement fund created by sections 50.1000 to 50.1200. Notwithstanding provisions of law to the contrary, an authorization for collection of a fee for the collection of delinquent and back taxes in a county’s charter, at a rate different than the rate allowed by law, shall control.

2. In all counties having a charter form of government, other than any county adopting a charter form of government after January 1, 2008, and any city not within a county, the collector shall collect on behalf of the county and pay into the county general fund a fee for the collection of delinquent and back taxes of two percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax except that in a county with a charter form of government and with more than two hundred fifty thousand but less than seven hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of three percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. If a county is required by section 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection shall be paid into the county

general fund.

3. Such county collector may accept credit cards as proper form of payment of outstanding delinquent and back taxes due. No county collector may charge a surcharge for payment by credit card.”; and

Further amend said bill, Page 30, Section 108.170, Line 131, by inserting after all of said line the following;

“137.280. 1. Taxpayers’ personal property lists, except those of merchants and manufacturers, and except those of railroads, public utilities, pipeline companies or any other person or corporation subject to special statutory requirements, such as chapter 151, who shall return and file their assessments on locally assessed property no later than April first, shall be delivered to the office of the assessor of the county between the first day of January and the first day of March each year and shall be signed and certified by the taxpayer as being a true and complete list or statement of all the taxable tangible personal property. If any person shall fail to deliver the required list to the assessor by the first day of March, the owner of the property which ought to have been listed shall be assessed a penalty added to the tax bill, based on the assessed value of the property that was not reported, as follows:

Assessed Valuation		Penalty
0-	\$1,000	[\$10.00] \$15.00
\$1,001-	\$2,000	[\$20.00] \$25.00
\$2,001-	\$3,000	[\$30.00] \$35.00
\$3,001-	\$4,000	[\$40.00] \$45.00
\$4,001-	\$5,000	[\$50.00] \$55.00
\$5,001-	\$6,000	[\$60.00] \$65.00
\$6,001-	\$7,000	[\$70.00] \$75.00
\$7,001-	\$8,000	[\$80.00] \$85.00
\$8,001-	\$9,000	[\$90.00] \$95.00
\$9,001 and above		[\$100.00] \$105.00

The assessor in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants shall omit assessing the penalty in any case where he **or she** is satisfied the neglect is unavoidable and not willful or falls into one of the following categories. The assessor in all other political subdivisions shall omit assessing the penalty in any case where he **or she** is satisfied the neglect falls into at least one of the following categories:

- (1) The taxpayer is in military service and is outside the state;
- (2) The taxpayer filed timely, but in the wrong county;
- (3) There was a loss of records due to fire or flood;
- (4) The taxpayer can show the list was mailed timely as evidenced by the date of postmark; [or]

(5) The assessor determines that no form for listing personal property was mailed to the taxpayer for that tax year; or

(6) The neglect occurred as a direct result of the actions or inactions of the county or its employees or contractors.

2. Between March first and April first, the assessor shall send to each taxpayer who was sent an assessment list for the current tax year, and said list was not returned to the assessor, a second notice that statutes require the assessment list be returned immediately. In the event the taxpayer returns the assessment list to the assessor before May first, the penalty described in subsection 1 of this section shall not apply. If said assessment list is not returned before May first by the taxpayer, the penalty shall apply.

3. It shall be the duty of the county commission and assessor to place on the assessment rolls for the year all personal property discovered in the calendar year which was taxable on January first of that year.

4. If annual waivers exceed forty percent then by February first of each year, the assessor shall transmit to the county employees' retirement fund an electronic or paper copy of the log maintained under subsection 3 of section 50.1020 for the prior calendar year.

137.345. 1. If any person, corporation, partnership or association neglects or refuses to deliver an itemized statement or list of all the taxable tangible personal property signed and certified by the taxpayer, as required by section 137.340, by the first day of March, [they] **the taxpayer** shall be assessed a penalty added to the tax bill, based on the assessed value of the property that was not reported, as follows:

Assessed Valuation		Penalty
0-	\$1,000	[\$10.00] \$15.00
\$1,001-	\$2,000	[\$20.00] \$25.00
\$2,001-	\$3,000	[\$30.00] \$35.00
\$3,001-	\$4,000	[\$40.00] \$45.00
\$4,001-	\$5,000	[\$50.00] \$55.00
\$5,001-	\$6,000	[\$60.00] \$65.00
\$6,001-	\$7,000	[\$70.00] \$75.00
\$7,001-	\$8,000	[\$80.00] \$85.00
\$8,001-	\$9,000	[\$90.00] \$95.00
\$9,001 and above		[\$100.00] \$105.00

The assessor in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants shall omit assessing the penalty in any case where he **or she** is satisfied the neglect is unavoidable and not willful or falls into one of the following categories. The assessor in all other political subdivisions shall omit assessing the penalty in any case where he **or she** is satisfied the neglect falls into at least one of the following categories:

- (1) The taxpayer is in military service and is outside the state;
- (2) The taxpayer filed timely, but in the wrong county;
- (3) There was a loss of records due to fire, theft, fraud or flood;
- (4) The taxpayer can show the list was mailed timely as evidenced by the date of postmark; [or]
- (5) The assessor determines that no form for listing personal property was mailed to the taxpayer for that tax year; or
- (6) The neglect occurred as a direct result of the actions or inactions of the county or its employees or contractors.

2. It shall be the duty of the county commission and assessor to place on the assessment rolls for the year all property discovered in the calendar year which was taxable on January first of that year.

3. Between March first and April first, the assessor shall send to each taxpayer who was sent an assessment list for the current tax year, and said list was not returned to the assessor, a second notice that statutes require that the assessment list be returned immediately. In the event the taxpayer returns the assessment list to the assessor before May first, the penalty described in subsection 1 of this section shall not apply. If said assessment list is not returned before May first by the taxpayer, the penalty shall apply.

4. The assessor, in the absence of the owner failing to deliver a required list of property is not required to furnish to the owner a duplicate of the assessment as made.

5. In every instance where a taxpayer has appealed to the board of equalization or the state tax commission the assessment of the taxpayer's property, real or personal, and that appeal has been successful, then in the next following and all subsequent years the basis upon which the assessor must base future assessments of the subject property shall be the basis established by the successful appeal and any increases must be established from that basis.”; and

Further amend said bill, Page 31, Section 139.100, Line 34, by inserting after all of said section and line the following:

“140.100. 1. Each tract of land in the back tax book, in addition to the amount of tax delinquent, shall be charged with a penalty of eighteen percent of each year's delinquency except that the penalty on lands redeemed prior to sale shall not exceed two percent per month or fractional part thereof.

2. For making and recording the delinquent land lists, the collector and the clerk shall receive ten cents per tract or lot and the clerk shall receive five cents per tract or lot for comparing and authenticating such list.

3. In all counties except counties having a charter form of government before January 1, 2008, and any city not within a county, in addition to the amount collected in subsection 2 of this section, for making and recording the delinquent land lists, the collector and the clerk shall each receive five dollars per tract or lot. The ten dollars shall be paid into the county employees' retirement fund established pursuant to section 50.1010.”; and

Further amend said bill, Page 52, Section 473.747, Line 4, by inserting after all of said section and line the following:

“Section B. Sections 52.290, 137.280, 137.345, and 140.100 of section A of this act shall become effective January 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 11**, relating to political subdivisions,, entitled:

An Act to repeal sections 88.770, 100.010, and 100.180, RSMo, and to enact in lieu thereof four new sections relating to disposition of municipal assets.

With House Amendment No. 1, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendment No. 1 to House Amendment No. 8 and House Amendment No. 8 as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 5, Section 100.180, Line 9, by inserting after all of said section and line the following:

“135.963. 1. Improvements made to real property as such term is defined in section 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or expansion thereto was designated may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. Improvements made to real property, as such term is defined in section 137.010, which are locally assessed and in a renewable energy generation zone designated as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions. In addition to enhanced business enterprises, a speculative industrial or warehouse building constructed by a public entity or a private entity if the land is leased by a public entity may be subject to such exemption.

2. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy of the resolution shall be provided to the director within thirty calendar days following adoption of the resolution by the governing authority.

3. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to

the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date, and purpose of the hearing.

4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enhanced enterprise zone of enhanced business enterprises or speculative industrial or warehouse buildings as indicated in subsection 1 of this section shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, if said political subdivision or municipality levies ad valorem taxes, for a period of not less than ten years following the date such improvements were assessed, provided the improved properties are used for enhanced business enterprises. The exemption for speculative buildings is subject to the approval of the governing authority for a period not to exceed two years if the building is owned by a private entity and five years if the building is owned or ground leased by a public entity. This shall not preclude the building receiving an exemption for the remaining time period established by the governing authority if it was occupied by an enhanced business enterprise. The two- and five-year time periods indicated for speculative buildings shall not be an addition to the local abatement time period for such facility.

5. No exemption shall be granted for a period more than twenty-five years [following the date on which the original enhanced enterprise zone was designated by the department] , **provided, however, that during the ten years prior to the expiration of an enhanced enterprise zone no exemption shall be granted for a period of more than ten years.**

6. The provisions of subsection 1 of this section shall not apply to improvements made to real property begun prior to August 28, 2004.

7. The abatement referred to in this section shall not relieve the assessor or other responsible official from ascertaining the amount of the equalized assessed value of all taxable property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section 99.1042 unless such reduction is set forth in the plan approved by the governing body of the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or section 99.1027.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 5, Section 100.180, Line 9, by inserting after all of said section and line the following:

“266.600. No political subdivision shall adopt or enforce any ordinance, rule, or regulation relating to the labeling, cultivation, or other use of seed, fertilizers, or soil conditioners as such terms are defined or used in sections 266.021, 266.291, and 266.361, respectively. The provisions of this section shall not apply to any ordinance, rule, or regulation enacted prior to August 28, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 1,

Section A, Line 3, by inserting immediately after all of said section and line the following:

54.261. 1. The county treasurer in counties of the first classification, not having a charter form of government and containing a portion of a city with a population of three hundred thousand or more, and in counties of the second, third and fourth classifications of this state, shall receive as compensation for services performed by the treasurer an annual salary based upon the assessed valuation of the county. The provisions of this section shall not permit or require a reduction, nor shall require an increase, in the amount of compensation being paid for the office of treasurer on January 1, 2002.

2. The amount of salary based upon assessed valuation shall be computed according to the following schedule:

Assessed Valuation	Salary \$
18,000,000 to 40,999,999	\$29,000
41,000,000 to 53,999,999	30,000
54,000,000 to 65,999,999	32,000
66,000,000 to 85,999,999	34,000
86,000,000 to 99,999,999	36,000
100,000,000 to 130,999,999	38,000
131,000,000 to 159,999,999	40,000
160,000,000 to 189,999,999	41,000
190,000,000 to 249,999,999	41,500
250,000,000 to 299,999,999	43,000
300,000,000 or more	45,000

3. Two thousand dollars of the salary authorized in this section shall be payable to the treasurer only if the treasurer has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the treasurer's office when approved by a professional association of the county treasurers or county collectors of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each treasurer who completes the training program and shall send a list of certified treasurers to the county commission of each county. Expenses incurred for attending the training session [may] **shall** be reimbursed to the county treasurer in the same manner as other expenses as may be appropriated for that purpose.

4. The county treasurer in any county, other than a county of the first classification having a charter form of government or a county of the first classification not having a charter form of government and not containing any part of a city with a population of three hundred thousand or more, shall not, except upon two-thirds vote of all the members of the commission, receive an annual compensation in an amount less than the total compensation being received for the office of county treasurer in the particular county for services rendered or performed on the date the salary commission votes.

5. In the event of a vacancy due to death, resignation, or otherwise in the office of treasurer in any

county except a county with a charter form of government, and when there is no deputy treasurer, the county commission shall appoint a qualified acting treasurer until such time as the vacancy is filled by the governor pursuant to section 105.030 or the elected treasurer returns to work. The county commission shall employ and fix the compensation of clerical and other assistants necessary to enable the interim treasurer to efficiently perform the duties of the office."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 3, Section 67.2050, Line 72, by inserting after all of said section and line the following:

"71.291. 1. Notwithstanding any other law to the contrary and subject to subsections 2 and 3 of this section, a city, town, village, or other political subdivision authorized to levy and collect a license tax or fee on hotels and motels shall not increase such license tax rate or fee amount greater than five percent above the annual rate in effect on the effective date of this section.

2. Notwithstanding any other law to the contrary, the total dollar amount of all license taxes or fees levied on any hotel or motel in one year shall not exceed the greater of:

(1) One-eighth of one percent of the gross revenue of the hotel or motel as of the effective date of this section; or

(2) The license tax or fee in effect on December 31, 2016.

3. The provisions of this section shall not apply to any tax levied by a city if the revenue from the license tax or fee is dedicated and restricted to a project for which bonds were outstanding on January 1, 2017."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 1, Section A, Line 3, by inserting the following after all of said line:

"67.1360. 1. The governing body of the following cities and counties may impose a tax as provided in this section:

(1) A city with a population of more than seven thousand and less than seven thousand five hundred;

(2) A county with a population of over nine thousand six hundred and less than twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if the county submits the issue to the voters of such county prior to January 1, 2003;

(3) A third class city which is the county seat of a county of the third classification without a township form of government with a population of at least twenty-five thousand but not more than thirty thousand inhabitants;

(4) Any fourth class city having, according to the last federal decennial census, a population of more than one thousand eight hundred fifty inhabitants but less than one thousand nine hundred fifty inhabitants in a county of the first classification with a charter form of government and having a population of greater

than six hundred thousand but less than nine hundred thousand inhabitants;

(5) Any city having a population of more than three thousand but less than eight thousand inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(6) Any city having a population of less than two hundred fifty inhabitants in a county of the fourth classification having a population of greater than forty-eight thousand inhabitants;

(7) Any fourth class city having a population of more than two thousand five hundred but less than three thousand inhabitants in a county of the third classification having a population of more than twenty-five thousand but less than twenty-seven thousand inhabitants;

(8) Any third class city with a population of more than three thousand two hundred but less than three thousand three hundred located in a county of the third classification having a population of more than thirty-five thousand but less than thirty-six thousand;

(9) Any county of the second classification without a township form of government and a population of less than thirty thousand;

(10) Any city of the fourth class in a county of the second classification without a township form of government and a population of less than thirty thousand;

(11) Any county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(12) Any city of the fourth class with a population of more than one thousand eight hundred but less than two thousand in a county of the third classification with a township form of government and a population of at least twenty-eight thousand but not more than thirty thousand;

(13) Any city of the third class with a population of more than seven thousand two hundred but less than seven thousand five hundred within a county of the third classification with a population of more than twenty-one thousand but less than twenty-three thousand;

(14) Any fourth class city having a population of more than two thousand eight hundred but less than three thousand one hundred inhabitants in a county of the third classification with a township form of government having a population of more than eight thousand four hundred but less than nine thousand inhabitants;

(15) Any fourth class city with a population of more than four hundred seventy but less than five hundred twenty inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(16) Any third class city with a population of more than three thousand eight hundred but less than four thousand inhabitants located in a county of the third classification with a population of more than fifteen thousand nine hundred but less than sixteen thousand inhabitants;

(17) Any fourth class city with a population of more than four thousand three hundred but less than four thousand five hundred inhabitants located in a county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(18) Any fourth class city with a population of more than two thousand four hundred but less than two

thousand six hundred inhabitants located in a county of the first classification without a charter form of government with a population of more than fifty-five thousand but less than sixty thousand inhabitants;

(19) Any fourth class city with a population of more than two thousand five hundred but less than two thousand six hundred inhabitants located in a county of the third classification with a population of more than nineteen thousand one hundred but less than nineteen thousand two hundred inhabitants;

(20) Any county of the third classification without a township form of government with a population greater than sixteen thousand but less than sixteen thousand two hundred inhabitants;

(21) Any county of the second classification with a population of more than forty-four thousand but less than fifty thousand inhabitants;

(22) Any third class city with a population of more than nine thousand five hundred but less than nine thousand seven hundred inhabitants located in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(23) Any city of the fourth classification with more than five thousand two hundred but less than five thousand three hundred inhabitants located in a county of the third classification without a township form of government and with more than twenty-four thousand five hundred but less than twenty-four thousand six hundred inhabitants;

(24) Any third class city with a population of more than nineteen thousand nine hundred but less than twenty thousand in a county of the first classification without a charter form of government and with a population of more than one hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred inhabitants;

(25) Any city of the fourth classification with more than two thousand six hundred but less than two thousand seven hundred inhabitants located in any county of the third classification without a township form of government and with more than fifteen thousand three hundred but less than fifteen thousand four hundred inhabitants;

(26) Any county of the third classification without a township form of government and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

(27) Any city of the fourth classification with more than five thousand four hundred but fewer than five thousand five hundred inhabitants and located in more than one county;

(28) Any city of the fourth classification with more than six thousand three hundred but fewer than six thousand five hundred inhabitants and located in more than one county through the creation of a tourism district which may include, in addition to the geographic area of such city, the area encompassed by the portion of the school district, located within a county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, having an average daily attendance for school year 2005-06 between one thousand eight hundred and one thousand nine hundred;

(29) Any city of the fourth classification with more than seven thousand seven hundred but less than seven thousand eight hundred inhabitants located in a county of the first classification with more than ninety-three thousand eight hundred but less than ninety-three thousand nine hundred inhabitants;

(30) Any city of the fourth classification with more than two thousand nine hundred but less than three thousand inhabitants located in a county of the first classification with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants;

(31) Any city of the third classification with more than nine thousand three hundred but less than nine thousand four hundred inhabitants;

(32) Any city of the fourth classification with more than three thousand eight hundred but fewer than three thousand nine hundred inhabitants and located in any county of the first classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine thousand eight hundred inhabitants;

(33) Any city of the fourth classification with more than one thousand eight hundred but fewer than one thousand nine hundred inhabitants and located in any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(34) Any county of the third classification without a township form of government and with more than twelve thousand one hundred but fewer than twelve thousand two hundred inhabitants;

(35) Any city of the fourth classification with more than three thousand eight hundred but fewer than four thousand inhabitants and located in more than one county; provided, however, that motels owned by not-for-profit organizations are exempt; [or]

(36) Any city of the fourth classification with more than five thousand but fewer than five thousand five hundred inhabitants and located in any county with a charter form of government and with more than two hundred thousand but fewer than three hundred fifty thousand inhabitants; **or**

(37) Any city with more than four thousand five hundred but fewer than five thousand five hundred inhabitants and located in any county of the fourth classification with more than thirty thousand but fewer than forty-two thousand inhabitants.

2. The governing body of any city or county listed in subsection 1 of this section may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels, motels, bed and breakfast inns and campgrounds and any docking facility which rents slips to recreational boats which are used by transients for sleeping, which shall be at least two percent, but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to impose a tax pursuant to the provisions of this section and section 67.1362. The tax authorized by this section and section 67.1362 shall be in addition to any charge paid to the owner or operator and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding the promotion of tourism. Such tax shall be stated separately from all other charges and taxes.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 1, Line 12, by deleting the words “[load] **rate**” and inserting in lieu thereof the

word “load”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 5, Section 100.180, Line 9, by inserting immediately after said section and line the following:

“393.1075. 1. This section shall be known as the “Missouri Energy Efficiency Investment Act”.

2. As used in this section, the following terms shall mean:

(1) “Commission”, the Missouri public service commission;

(2) “Demand response”, measures that decrease peak demand or shift demand to off-peak periods;

(3) “Demand-side program”, any program conducted by the utility to modify the net consumption of electricity on the retail customer’s side of the electric meter, including but not limited to energy efficiency measures, [load] **rate** management, demand response, and interruptible or curtailable load;

(4) “Energy efficiency”, measures that reduce the amount of electricity required to achieve a given end use;

(5) “Interruptible or curtailable rate”, a rate under which a customer receives a reduced charge in exchange for agreeing to allow the utility to withdraw the supply of electricity under certain specified conditions;

(6) “Total resource cost test”, a test that compares the sum of avoided utility costs and avoided probable environmental compliance costs to the sum of all incremental costs of end-use measures that are implemented due to the program, as defined by the commission in rules.

3. It shall be the policy of the state to value demand-side investments equal to traditional investments in supply and delivery infrastructure and allow recovery of all reasonable and prudent costs of delivering cost-effective demand-side programs. In support of this policy, the commission shall:

(1) Provide timely cost recovery for utilities;

(2) Ensure that utility financial incentives are aligned with helping customers use energy more efficiently and in a manner that sustains or enhances utility customers’ incentives to use energy more efficiently; and

(3) Provide timely earnings opportunities associated with cost-effective measurable and verifiable efficiency savings.

4. The commission shall permit electric corporations to implement commission-approved demand-side programs proposed pursuant to this section with a goal of achieving all cost-effective demand-side savings. Recovery for such programs shall not be permitted unless the programs are approved by the commission, result in energy or demand savings and are beneficial to all customers in the customer class in which the programs are proposed, regardless of whether the programs are utilized by all customers. The commission shall consider the total resource cost test a preferred cost-effectiveness test. Programs targeted to low-income customers or general education campaigns do not need to meet a cost-effectiveness test, so long as the commission determines that the program or campaign is in the public interest. Nothing herein shall

preclude the approval of demand-side programs that do not meet the test if the costs of the program above the level determined to be cost-effective are funded by the customers participating in the program or through tax or other governmental credits or incentives specifically designed for that purpose.

5. To comply with this section the commission may develop cost recovery mechanisms to further encourage investments in demand-side programs including, in combination and without limitation: capitalization of investments in and expenditures for demand-side programs, rate design modifications, accelerated depreciation on demand-side investments, and allowing the utility to retain a portion of the net benefits of a demand-side program for its shareholders. In setting rates the commission shall fairly apportion the costs and benefits of demand-side programs to each customer class except as provided for in subsection 6 of this section. Prior to approving a rate design modification associated with demand-side cost recovery, the commission shall conclude a docket studying the effects thereof and promulgate an appropriate rule.

6. The commission may reduce or exempt allocation of demand-side expenditures to low-income classes, as defined in an appropriate rate proceeding, as a subclass of residential service.

7. Provided that the customer has notified the electric corporation that the customer elects not to participate in demand-side measures offered by an electrical corporation, none of the costs of demand-side measures of an electric corporation offered under this section or by any other authority, and no other charges implemented in accordance with this section, shall be assigned to any account of any customer, including its affiliates and subsidiaries, meeting one or more of the following criteria:

(1) The customer has one or more accounts within the service territory of the electrical corporation that has a demand of five thousand kilowatts or more;

(2) The customer operates an interstate pipeline pumping station, regardless of size; or

(3) The customer has accounts within the service territory of the electrical corporation that have, in aggregate, a demand of two thousand five hundred kilowatts or more, and the customer has a comprehensive demand-side or energy efficiency program and can demonstrate an achievement of savings at least equal to those expected from utility-provided programs.

8. Customers that have notified the electrical corporation that they do not wish to participate in demand-side programs under this section shall not subsequently be eligible to participate in demand-side programs except under guidelines established by the commission in rulemaking.

9. Customers who participate in demand-side programs initiated after August 1, 2009, shall be required to participate in program funding for a period of time to be established by the commission in rulemaking.

10. Customers electing not to participate in an electric corporation's demand-side programs under this section shall still be allowed to participate in interruptible or curtailable rate schedules or tariffs offered by the electric corporation.

11. The commission shall provide oversight and may adopt rules and procedures and approve corporation-specific settlements and tariff provisions, independent evaluation of demand-side programs, as necessary, to ensure that electric corporations can achieve the goals of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to

disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid and void.

12. Each electric corporation shall submit an annual report to the commission describing the demand-side programs implemented by the utility in the previous year. The report shall document program expenditures, including incentive payments, peak demand and energy savings impacts and the techniques used to estimate those impacts, avoided costs and the techniques used to estimate those costs, the estimated cost-effectiveness of the demand-side programs, and the net economic benefits of the demand-side programs.

13. Charges attributable to demand-side programs under this section shall be clearly shown as a separate line item on bills to the electrical corporation's customers.

14. [(1) Any customer of an electrical corporation who has received a state tax credit under sections 135.350 to 135.362 or under sections 253.545 to 253.561 shall not be eligible for participation in any demand-side program offered by an electrical corporation under this section if such program offers a monetary incentive to the customer, except as provided in subdivision (4) of this subsection.

(2) As a condition of participation in any demand-side program offered by an electrical corporation under this section when such program offers a monetary incentive to the customer, the commission shall develop rules that require documentation to be provided by the customer to the electrical corporation to show that the customer has not received a tax credit listed in subdivision (1) of this subsection.

(3) The penalty for a customer who provides false documentation under subdivision (2) of this subsection shall be a class A misdemeanor.

(4) The provisions of this subsection shall not apply to any low-income customer who would otherwise be eligible to participate in a demand-side program that is offered by an electrical corporation to low-income customers.

15.] The commission shall develop rules that provide for disclosure of participants in all demand-side programs offered by electrical corporations under this section when such programs provide monetary incentives to the customer. The disclosure required by this subsection may include, but not be limited to, the following: the name of the participant, or the names of the [principles] **principals** if for a company, the property address, and the amount of the monetary incentive received.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 8

Amend House Amendment No. 8 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 1, Line 2, by deleting all of said line and inserting in lieu thereof the following:

“1, Section A, Line 3, by inserting the following after all of said section and line:

“67.990. 1. The governing body of any county or city not within a county may, upon approval of a majority of the qualified voters of such county or city voting thereon, levy and collect a tax not to exceed five cents per one hundred dollars of assessed valuation, or in any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants, the governing body may, upon approval of a majority of the qualified voters of the county voting thereon, levy and collect

a tax not to exceed ten cents per one hundred dollars of assessed valuation upon all taxable property within the county or city or for the purpose of providing services to persons sixty years of age or older. The tax so levied shall be collected along with other county or city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund for the provision of services for persons sixty years of age or older, and shall be used for no other purpose except those purposes authorized in sections 67.990 to 67.995. Deposits in the fund shall be expended only upon approval of the board of directors established in section 67.993 and only in accordance with the fund budget approved by the county [or city governing body]. **In a city not within a county, deposits in the fund shall be expended only in accordance with the budget approved by the board established in section 67.993.**

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) levy a tax of cents per each one hundred dollars assessed valuation for the purpose of providing services to persons sixty years of age or older?

☐ YES

☐ NO

67.993. 1. Upon the approval of the tax authorized by section 67.990 by the voters of the county or city not within a county, the tax so approved shall be imposed upon all taxable property within the county or city and the proceeds therefrom shall be deposited in a special fund, to be known as the “Senior Citizens’ Services Fund”, which is hereby established within the county [or city] treasury. **In a city not within a county, the proceeds shall be deposited with the board established by law to administer such funds, which shall be known as the “Senior Citizen Services Fund” to accomplish the purposes set out herein and for no other purpose.** No moneys in the senior citizens’ services fund shall be spent until the board of directors provided for in subsection 2 of this section has been appointed and has taken office.

2. Upon approval of the tax authorized by section 67.990 by the voters of the county or city, the governing body of the county or the mayor of the city shall appoint a board of directors consisting of seven directors, who shall be selected from the county or city at large and shall, as nearly as practicable, represent the various groups to be served by the board **and the demography of the political subdivision served.** Each director shall be a resident of the county or city. Each director shall be appointed to serve for a term of four years and until his successor is duly appointed and qualified; except that, of the directors first appointed, one director shall be appointed for a term of one year, two directors shall be appointed for a term of two years, two directors shall be appointed for a term of three years, and two directors shall be appointed for a term of four years.

Directors may be reappointed. All vacancies on the board of directors shall be filled for the remainder of the unexpired term by the governing body of the county or mayor of the city. The directors shall not receive any compensation for their services, but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties from the moneys in the senior citizens’ services fund.

3. The administrative control and management of the funds in the senior citizens’ services fund and all programs to be funded therefrom shall rest solely with the board of directors appointed under subsection 2 of this section; except that, the budget for the senior citizens’ services fund shall be approved by the governing body of the county [or city] prior to making of any payments from the fund in any fiscal year.

In a city not within a county, such fund shall be administered by and expended only upon approval by a board of directors established under this section. The board of directors shall use the funds in the senior citizens' services fund to provide programs which will improve the health, nutrition, and quality of life of persons who are sixty years of age or older. The budget may allocate funds for operational and capital needs to senior-related programs in the county or city in which such property taxes are collected. No funds in the senior citizens' services fund may be used, directly or indirectly, for any political purpose. In providing such services, the board of directors may contract with any person to provide services relating, in whole or in part, to the services which the board itself may provide under this section, and for such purpose may expend the tax proceeds derived from the tax authorized by section 67.990.

4. The board of directors shall elect a chairman, vice chairman, and such other officers as it deems necessary; shall establish eligibility requirements for the programs it furnishes; and shall do all other things necessary to carry out the purposes of sections 67.990 to 67.995. A majority of the board of directors shall constitute a quorum.

5. The board of directors, with the approval of the governing body of the county [or city], may accept any gift of property or money for the use and benefit of the persons to be served through the programs established and funded under sections 67.990 to 67.995, and may sell or exchange any such property so long as such sale or exchange is in the best interests of the programs provided under sections 67.990 to 67.995 and the proceeds from such sale or exchange are used exclusively to fund such programs. **In a city not within a county, the board of directors may solicit, accept, and expend grants from private or public entities and enter into agreements to effectuate such grants so long as the transaction is in the best interests of the programs provided by the board and the proceeds are used exclusively to fund such programs.”; and**

Further amend said bill, Page 5, Section 87.770, Line 31, by inserting after all of said line the following:”; and

Further amend said bill by amending the title, enacting clause, and intersectional references

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 11, Page 5, Section 87.770, Line 31, by inserting after all of said section and line the following:

“92.020. Any such municipality is hereby authorized by ordinance to levy a rate of taxation on all property subject to its taxing power for library, hospital, public health, recreation grounds and museum purposes, and the rate of taxation levied for such purposes shall be in addition to the maximum rate of taxation levied for general municipal purposes, as limited by the constitution or laws of this state. No tax levied for the special purposes enumerated in this section shall exceed the following annual rates:

(1) Library, in the manner and at the rate authorized under the provisions of sections 182.140 to 182.301;

(2) Hospital, ten cents on the hundred dollars assessed valuation;

(3) Public health, [two] **sixty** cents on the hundred dollars assessed valuation;

(4) Recreation grounds other than zoological park, two cents on the hundred dollars assessed valuation;

(5) Zoological park, in the manner and at the rate authorized under the provisions of sections 90.640 and

90.650;

(6) Art museum, in the manner and at the rate authorized by law.

92.024. 1. The governing body of any city not within a county may, upon approval of a majority of the qualified voters of such city voting thereon, levy and collect a tax not to exceed sixty cents per one hundred dollars of assessed valuation upon all taxable property within the city for the purpose of providing public safety services. The tax so levied shall be collected along with other city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund for the provision of public safety services, and shall be used for no other purpose except those purposes authorized in sections 92.024 to 92.026. Deposits in the fund shall be expended only upon approval of the board of directors established in section 92.025 and only in accordance with the fund budget approved by the city governing body.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of city) levy a tax of cents per each one hundred dollars assessed valuation for the purpose of providing public safety services?

☐ YES

☐ NO

92.025. 1. Upon the approval of the tax authorized under section 92.024 by the voters of the city not within a county, the tax so approved shall be imposed upon all taxable property within the city and the proceeds therefrom shall be deposited in a special fund, to be known as the "Public Safety Services Fund", which is hereby established within the city treasury. No moneys in the public safety services fund shall be spent until the board of directors provided for in subsection 2 of this section has been appointed and has taken office.

2. Upon approval of the tax authorized under section 92.024 by the voters of the city, the mayor of the city shall appoint a board of directors consisting of seven directors, who shall be selected from the city at large and shall, as nearly as practicable, represent the various groups to be served by the board. Each director shall be a resident of the city. Each director shall be appointed to serve for a term of four years and until his successor is duly appointed and qualified; except that, of the directors first appointed, one director shall be appointed for a term of one year, two directors shall be appointed for a term of two years, two directors shall be appointed for a term of three years, and two directors shall be appointed for a term of four years. Directors may be reappointed. All vacancies on the board of directors shall be filled for the remainder of the unexpired term by the mayor of the city. The directors shall not receive any compensation for their services, but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties from the moneys in the public safety services fund.

3. The administrative control and management of the funds in the public safety services fund and all programs to be funded therefrom shall rest solely with the board of directors appointed under subsection 2 of this section; except that, the budget for the public safety services fund shall be approved by the governing body of the city prior to the making of any payments from the fund in any fiscal year. The board of directors shall use the funds in the public safety services fund to provide

programs or to pay for existing programs which will improve public safety. The budget may allocate funds for public safety services, including the compensation of public safety personnel who serve in the city in which such property taxes are collected. No funds in the public safety services fund may be used, directly or indirectly, for any political purpose. In providing such services, the board of directors may contract with any person to provide services relating, in whole or in part, to the services which the board itself may provide under this section, and for such purpose may expend the tax proceeds derived from the tax authorized by section 92.024.

4. The board of directors shall elect a chairman, vice chairman, and such other officers as it deems necessary; shall establish eligibility requirements for the programs it furnishes; and shall do all other things necessary to carry out the purposes of sections 92.024 to 92.026. A majority of the board of directors shall constitute a quorum.

5. The board of directors, with the approval of the governing body of the city, may accept any gift of property or money for the use and benefit of the persons to be served through the programs established and funded under sections 92.024 to 92.026, and may sell or exchange any such property so long as such sale or exchange is in the best interests of the programs provided under sections 92.024 to 92.026 and the proceeds from such sale or exchange are used exclusively to fund such programs.

92.026. 1. If the tax, special fund, and board of directors authorized by sections 92.024 to 92.026 are repealed or abolished, all funds remaining in the special fund shall be transferred to the general revenue fund of the city not within a county.

2. If the governing body of the city shall determine that an audit is necessary or desirable, the accounts of the board of directors shall be audited by a certified public accountant selected by the governing body of the city. An audit performed under this subsection shall also review the records of the receipts and disbursements and the property inventory of every officer or office of the board of directors which receives or disburses money on behalf of the board or which holds property belonging to the board. Upon the completion of the investigation, the certified public accountant shall render a report to the governing body of the city, along with a statement showing, under appropriate classifications, the receipts and disbursements of the board of directors during the period of the audit. The expense of an audit performed under this subsection shall be paid by the board of directors from funds in the public safety services fund.”; and

Further amend said bill and page, Section 100.180, Line 9, by inserting after said section and line the following:

“Section B. Because of the importance of providing for public safety, the repeal and reenactment of section 92.020 and the enactment of sections 92.024, 92.025, and 92.026 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 92.020 and the enactment of sections 92.024, 92.025, and 92.026 of this act shall be in full force and effect upon its passage and approval.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SCS for SB 421**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof two new sections relating to the authorization of the conveyance of certain state properties to the city of Independence.

With House Amendment No. 1, House Amendment No. 2 and House Amendment No. 3

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“8.012. **1.** At all state buildings and upon the grounds thereof, the board of public buildings [may] **shall** accompany the display of the flag of the United States and the flag of this state with the display of the POW/MIA flag, which is designed to commemorate the service and sacrifice of the members of the Armed Forces of the United States who were prisoners of war or missing in action and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.

2. If a state building does not possess a POW/MIA flag the board shall reach out to local veterans organizations to obtain a donated flag.

3. If the state building is unable to obtain a donated flag or if displaying the flag on the existing flagpole would in any circumstance be inconsistent with the provisions of the state of Missouri policy for display of national and state flags, the state building shall be exempt from this section.”; and

Further amend said bill, Page 5, Section 37.005, Line 154, by inserting immediately after all of said section and line the following:

“253.048. **1.** Within the state parks, the department [may] **shall** accompany the display of the flag of the United States and the flag of this state with the display of the MIA/POW flag, which is designed to commemorate the service and sacrifice of members of the Armed Forces of the United States who were prisoners of war or missing in action and with the display of the Honor and Remember flag as an official recognition and in honor of fallen members of the Armed Forces of the United States.

2. If a state park does not possess a POW/MIA flag the department shall reach out to local veterans organizations to obtain a donated flag.

3. If the state park is unable to obtain a donated flag or if displaying the flag on the existing flagpole would in any circumstance be inconsistent with the provisions of the state of Missouri policy for display of national and state flags, the state park shall be exempt from this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421, Page 5, Section 37.005, Line 154, by inserting after all of said section and line the following:

“67.307. **1.** As used in this section, the following terms mean:

(1) “Law enforcement officer”, a sheriff or peace officer of a municipality with the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of municipalities;

(2) “Municipality”, any county, city, town, or village;

(3) “Municipality official”, any elected or appointed official or any law enforcement officer serving the municipality;

(4) “Sanctuary policy”, any municipality’s order [or], ordinance, **or law enforcement policy, regardless of whether formally enacted or [followed] informally adopted**, that:

(a) Limits or prohibits any municipality official or person employed by the municipality from communicating or cooperating with federal agencies or officials to verify or report the immigration status of any alien within such municipality; [or]

(b) Grants to illegal aliens the right to lawful presence or status within the municipality in violation of federal law[.];

(c) Violates 8 U.S.C. Section 1373 in any way;

(d) Restricts in any way, or imposes any conditions upon, the municipality’s cooperation or compliance with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of any alien or to transfer any alien to the custody of United States Immigration and Customs Enforcement;

(e) Requires United States Immigration and Customs Enforcement to obtain a warrant or demonstrate probable cause before complying with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of any alien or to transfer any alien to the custody of United States Immigration and Customs Enforcement; or

(f) Prevents the municipality’s law enforcement officers from asking any individual his or her citizenship or immigration status.

2. No municipality shall enact or adopt any sanctuary policy. Any municipality that enacts or adopts a sanctuary policy shall be ineligible for any moneys provided through grants administered by any state agency or department until the sanctuary policy is repealed or is no longer in effect. Upon the complaint of any state resident regarding a specific government entity, agency, or political subdivision of this state or prior to the provision of funds or awarding of any grants to a government entity, agency, or political subdivision of this state, any member of the general assembly may request that the attorney general of the state of Missouri issue an opinion stating whether the government entity, agency, or political subdivision has current policies in contravention of this section.

3. The governing body, sheriff, or chief of police of each municipality shall provide each law enforcement officer with written notice of their duty to cooperate with state and federal agencies and officials on matters pertaining to enforcement of state and federal laws governing immigration.

4. This section shall become effective on January 1, 2009.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421, Page 1,

Section A, Line 2, by inserting immediately after all of said section and line the following:

“34.378. 1. The state shall not enter into a contingency fee contract with a private attorney unless the attorney general makes a written determination prior to entering into such a contract that contingency fee representation is both cost effective and in the public interest. Any written determination shall include specific findings for each of the following factors:

(1) Whether there exists sufficient and appropriate legal and financial resources within the attorney general’s office to handle the matter;

(2) The time and labor required; the novelty, complexity, and difficulty of the questions involved; and the skill requisite to perform the attorney services properly;

(3) The geographic area where the attorney services are to be provided; and

(4) The amount of experience desired for the particular kind of attorney services to be provided and the nature of the private attorney’s experience with similar issues or cases.

2. If the attorney general makes the determination described in subsection 1 of this section, the attorney general shall request written proposals from private attorneys to represent the state, unless the attorney general determines that requesting proposals is not feasible under the circumstances and sets forth the basis for this determination in writing. If a request for proposals is issued, the attorney general shall choose the lowest and best bid or request **that** the office of administration establish an independent panel to evaluate the proposals and choose the lowest and best bid.

3. The state shall not enter into a contract for contingency fee attorney services unless the following requirements are met throughout the contract period and any extensions to the contract:

(1) The government attorneys shall retain complete control over the course and conduct of the case;

(2) A government attorney with supervisory authority shall oversee the litigation;

(3) The government attorneys shall retain veto power over any decisions made by outside counsel;

(4) A government attorney with supervisory authority for the case shall attend all settlement conferences; and

(5) Decisions regarding settlement of the case shall be reserved exclusively to the discretion of the attorney general.

4. The attorney general shall develop a standard addendum to every contract for contingent fee attorney services that shall be used in all cases, describing in detail what is expected of both the contracted private attorney and the state, including, without limitation, the requirements listed in subsection 3 of this section.

5. Copies of any executed contingency fee contract and the attorney general’s written determination to enter into a contingency fee contract with the private attorney shall be posted on the attorney general’s website for public inspection within five business days after the date the contract is executed and shall remain posted on the website for the duration of the contingency fee contract, including any extensions or amendments to the contract. Any payment of contingency fees shall be posted on the attorney general’s website within fifteen days after the payment of such contingency fees to the private attorney and shall remain posted on the website for at least three hundred sixty-five days.

6. Any private attorney under contract to provide services to the state on a contingency fee basis shall, from the inception of the contract until at least four years after the contract expires or is terminated, maintain detailed current records, including documentation of all expenses, disbursements, charges, credits, underlying receipts and invoices, and other financial transactions that concern the provision of such attorney services. The private attorney shall maintain detailed contemporaneous time records for the attorneys and paralegals working on the matter in increments of no greater than one-tenth of an hour and shall promptly provide these records to the attorney general, upon request. Any request under chapter 610 for inspection and copying of such records shall be served upon and responded to by the attorney general's office.

7. Except as otherwise provided in subsection 8 of this section, a retained private attorney is not entitled to a fee, exclusive of any costs and expenses described in subsection 8 of this section, of more than:

(1) Fifteen percent of that portion of any amount recovered that is ten million dollars or less;

(2) Ten percent of that portion of any amount recovered that is more than ten million dollars but less than or equal to fifteen million dollars;

(3) Five percent of that portion of any amount recovered that is more than fifteen million dollars but less than or equal to twenty million dollars; and

(4) Two percent of that portion of any amount recovered that is more than twenty million dollars.

8. The total fee payable to all retained private attorneys in any matter that is the subject of a contingency fee contract shall not exceed ten million dollars, exclusive of any costs and expenses provided for by the contract and actually incurred by the retained private attorneys, regardless of the number of actions or proceedings or the number of retained private attorneys involved in the matter.

9. A contingency fee:

(1) Is payable only from moneys that are actually received under a judgment or settlement agreement; and

(2) Shall not be based on any amount attributable to a fine or civil penalty.

10. As used in this section, amount recovered does not include any moneys paid as costs.

11. By February first of each year, the attorney general shall submit a report to the president pro tem of the senate and the speaker of the house of representatives describing the use of contingency fee contracts with private attorneys in the preceding calendar year. At a minimum, the report shall:

(1) Identify all new contingency fee contracts entered into during the year and all previously executed contingency fee contracts that remain current during any part of the year, and for each contract describe:

(a) The name of the private attorney with whom the department has contracted, including the name of the attorney's law firm;

(b) The nature and status of the legal matter;

(c) The name of the parties to the legal matter;

(d) The amount of any recovery; and

(e) The amount of any contingency fee paid;

(2) Include copies of any written determinations made under subsections 1 and 2 of this section.”; and

Further amend said bill, Page 5, Section 37.005, Line 154, by inserting immediately after all of said section and line the following:

“37.851. 1. The general assembly and every department or division of the executive branch of the state, including the office of any statewide elected official and any executive branch appointee, shall document and make easily available to the public on the MissouriBUYS statewide e-procurement system operated and maintained by the office of administration the following information for all contracts entered into greater than two thousand five hundred dollars for the provision of legal services by a private law firm:

(1) The dollar amount of each such contract;

(2) The dollar rate per hour of each attorney working for the private law firm under the contract, if available; and

(3) A brief summary of the legal services to be provided by the firm.

2. As used in this section, “executive branch appointee” shall include any member of any task force, advisory committee, board, commission, or other body or persons appointed by, named by, or at the direction of an executive branch official.

3. The office of administration shall promulgate rules to implement the provisions of this section which relate to any executive department or agency. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 501**, entitled:

An Act to repeal sections 191.227, 195.206, 334.010, 334.036, 335.099, 338.010, 338.202, 345.051, and 374.426, RSMo, and to enact in lieu thereof twenty-one new sections relating to health care, with an emergency clause for a certain section.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8, House Amendment No. 9 and House Amendment No. 10.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 501, Page 6, Section 195.206, Line 34, by inserting immediately after all of said section and line the following:

“197.005. 1. As used in this section, the term “Medicare conditions of participation” shall mean federal regulatory standards established under Title XVIII of the Social Security Act and defined in 42 CFR Part 482, as amended, for hospitals and 42 CFR Part 485, as amended, for hospitals designated as critical access hospitals under 42 U.S.C. Section 1395i-4.

2. To minimize the administrative cost of enforcing and complying with duplicative regulatory standards, on and after July 1, 2018, compliance with Medicare conditions of participation shall be deemed to constitute compliance with the standards for hospital licensure under sections 197.010 to 197.120 and regulations promulgated thereunder.

3. Nothing in this section shall preclude the department from promulgating regulations effective on or after July 1, 2018, to define separate regulatory standards that do not duplicate or contradict the Medicare conditions of participation, with specific state statutory authorization to create separate regulatory standards.

4. Regulations promulgated by the department to establish and enforce hospital licensure regulations under this chapter that duplicate or conflict with the Medicare conditions of participation shall lapse and expire on and after July 1, 2018.

197.040. After ninety days from the date this law becomes effective, no person or governmental unit, acting severally or jointly with any other person or governmental unit, shall establish, conduct or maintain a hospital in this state without a license under this law **and section 197.005** issued by the department of health and senior services.

197.050. Application for a license shall be made to the department of health and senior services upon forms provided by it and shall contain such information as the department of health and senior services requires, which may include affirmative evidence of ability to comply with such reasonable standards, rules and regulations as are lawfully prescribed hereunder **in compliance with section 197.005**. Until June 30, 1989, each application for a license, except applications from governmental units, shall be accompanied by an annual license fee of two hundred dollars plus two dollars per bed for the first one hundred beds and one dollar per bed for each additional bed. Beginning July 1, 1989, each application for a license, except applications from governmental units, shall be accompanied by an annual license fee of two hundred fifty dollars plus three dollars per bed for the first four hundred beds and two dollars per bed for each additional bed. All license fees shall be paid to the director of revenue and deposited in the state treasury to the credit of the general revenue fund.

197.070. The department of health and senior services may deny, suspend or revoke a license in any case in which it finds that there has been a substantial failure to comply with the requirements established under this law **and section 197.005**.

197.071. Any person aggrieved by an official action of the department of health and senior services affecting the licensed status of a person under the provisions of sections [197.010] **197.005** to 197.120, including the refusal to grant, the grant, the revocation, the suspension, or the failure to renew a license, may seek a determination thereon by the administrative hearing commission pursuant to the provisions of section

621.045, and it shall not be a condition to such determination that the person aggrieved seek a reconsideration, a rehearing, or exhaust any other procedure within the department of health and senior services.

197.080. 1. The department of health and senior services, with the advice of the state advisory council and pursuant to the provisions of this section, **section 197.005**, and chapter 536, shall adopt, amend, promulgate and enforce such rules, regulations and standards with respect to all hospitals or different types of hospitals to be licensed hereunder as may be designed to further the accomplishment of the purposes of this law in promoting safe and adequate treatment of individuals in hospitals in the interest of public health, safety and welfare. No rule or portion of a rule promulgated under the authority of sections 197.010 to 197.280 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.

2. The department shall review and revise regulations governing hospital licensure and enforcement to promote hospital and regulatory efficiencies [and] . **The department shall eliminate all** duplicative regulations and inspections by or on behalf of state agencies and the Centers for Medicare and Medicaid Services (CMS). The hospital licensure regulations adopted under this [section] **chapter** shall incorporate standards which shall include, but not be limited to, the following:

(1) Each citation or finding of a regulatory deficiency shall refer to the specific written regulation, any state associated written interpretive guidance developed by the department and any publicly available, professionally recognized standards of care that are the basis of the citation or finding;

(2) Subject to appropriations, the department shall ensure that its hospital licensure regulatory standards are consistent with and do not contradict the CMS Conditions of Participation (COP) and associated interpretive guidance. However, this shall not preclude the department from enforcing standards produced by the department which exceed the federal CMS' COP and associated interpretive guidance, so long as such standards produced by the department promote a higher degree of patient safety and do not contradict the federal CMS' COP and associated interpretive guidance;

(3) The department shall establish and publish guidelines for complaint investigation, including but not limited to:

(a) The department's process for reviewing and determining which complaints warrant an on-site investigation based on a preliminary review of available information from the complainant, other appropriate sources, and when not prohibited by CMS, the hospital. For purposes of providing hospitals with information necessary to improve processes and patient care, the number and nature of complaints filed and the recommended actions by the department and, as appropriate CMS, shall be disclosed upon request to hospitals so long as the otherwise confidential identity of the complainant or the patient for whom the complaint was filed is not disclosed;

(b) A departmental investigation of a complaint shall be focused on the specific regulatory standard and departmental written interpretive guidance and publicly available professionally recognized standard of care related to the complaint. During the course of any complaint investigation, the department shall cite any serious and immediate threat discovered that may potentially jeopardize the health and safety of patients;

(c) A hospital shall be provided with a report of all complaints made against the hospital. Such report shall include the nature of the complaint, the date of the complaint, the department conclusions regarding

the complaint, the number of investigators and days of investigation resulting from each complaint;

(4) Hospitals and hospital personnel shall have the opportunity to participate in annual continuing training sessions when such training is provided to state licensure surveyors with prior approval from the department director and CMS when appropriate. Hospitals and hospital personnel shall assume all costs associated with facilitating the training sessions and use of curriculum materials, including but not limited to the location for training, food, and printing costs;

(5) Time lines for the department to provide responses to hospitals regarding the status and outcome of pending investigations and regulatory actions and questions about interpretations of regulations shall be identical to, to the extent practicable, the time lines established for the federal hospital certification and enforcement system in the CMS State Operations Manual, as amended. These time lines shall be the guide for the department to follow. Every reasonable attempt shall be made to meet the time lines. However, failure to meet the established time lines shall in no way prevent the department from performing any necessary inspections to ensure the health and safety of patients.

3. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

197.100. 1. Any provision of chapter 198 and chapter 338 to the contrary notwithstanding, the department of health and senior services shall have sole authority, and responsibility for inspection and licensure of hospitals in this state including, but not limited to, all parts, services, functions, support functions and activities which contribute directly or indirectly to patient care of any kind whatsoever. The department of health and senior services shall annually inspect each licensed hospital and shall make any other inspections and investigations as it deems necessary for good cause shown. The department of health and senior services shall accept reports of hospital inspections from **or on behalf of** governmental agencies, the joint commission, and the American Osteopathic Association Healthcare Facilities Accreditation Program, provided the accreditation inspection was conducted within one year of the date of license renewal. Prior to granting acceptance of any other accrediting organization reports in lieu of the required licensure survey, the accrediting organization's survey process must be deemed appropriate and found to be comparable to the department's licensure survey. It shall be the accrediting organization's responsibility to provide the department any and all information necessary to determine if the accrediting organization's survey process is comparable and fully meets the intent of the licensure regulations. The department of health and senior services shall attempt to schedule inspections and evaluations required by this section so as not to cause a hospital to be subject to more than one inspection in any twelve-month period from the department of health and senior services or any agency or accreditation organization the reports of which are accepted for licensure purposes pursuant to this section, except for good cause shown.

2. Other provisions of law to the contrary notwithstanding, the department of health and senior services shall be the only state agency to determine life safety and building codes for hospitals defined or licensed pursuant to the provisions of this chapter, including but not limited to sprinkler systems, smoke detection devices and other fire safety-related matters so long as any new standards shall apply only to new construction.”; and

Further amend said bill, Page 19, Section B, Line 6, by inserting immediately after all of said section and line the following:

“Section C. The enactment of section 197.005 and the repeal and reenactment of sections 197.040, 197.050, 197.070, 197.071, 197.080, and 197.100 of section A of this act shall become effective on July 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 501, Page 10, Section 335.099, Line 17, by inserting immediately after said section and line the following:

“337.010. As used in sections 337.010 to 337.090 the following terms mean:

- (1) “Committee”, the state committee of psychologists;
- (2) “Department”, the department of insurance, financial institutions and professional registration;
- (3) “Division”, the division of professional registration;
- (4) **“Internship”, any supervised hours that occur during a formal internship of twelve to twenty-four months after all academic course work toward a doctorate has been completed but prior to completion of the full degree. Internship is part of successful completion of a doctorate in psychology, and a person cannot earn his or her doctorate without completion of an internship;**
- (5) “Licensed psychologist”, any person who offers to render psychological services to individuals, groups, organizations, institutions, corporations, schools, government agencies or the general public for a fee, monetary or otherwise, implying that such person is trained, experienced and licensed to practice psychology and who holds a current and valid, whether temporary, provisional or permanent, license in this state to practice psychology;
- (6) **“Postdoctoral experiences”, experiences that follow the completion of a person’s doctoral degree. Such person shall not be licensed until he or she satisfies additional supervised hours. Postdoctoral experiences shall include any supervised clinical activities following the completion of the doctoral degree;**
- (7) **“Predoctoral postinternship”, any supervised hours that occur following completion of the internship but prior to completing the degree. Such person may continue to provide supervised clinical services even after his or her internship is completed and while still completing his or her doctoral degree requirements;**
- (8) **“Preinternship”, any supervised hours acquired as a student or in the course of seeking a doctorate in psychology but before the internship, which includes supervised practicum;**
- [5] (9) “Provisional licensed psychologist”, any person who is a graduate of a recognized educational institution with a doctoral degree in psychology as defined in section 337.025, and who otherwise meets all requirements to become a licensed psychologist except for passage of the licensing exams, oral examination and completion of the required period of postdegree supervised experience as specified in subsection 2 of section 337.025;

[(6)] **(10)** “Recognized educational institution”:

(a) A school, college, university or other institution of higher learning in the United States, which, at the time the applicant was enrolled and graduated, had a graduate program in psychology and was accredited by one of the regional accrediting associations approved by the Council on Postsecondary Accreditation; or

(b) A school, college, university or other institution of higher learning outside the United States, which, at the time the applicant was enrolled and graduated, had a graduate program in psychology and maintained a standard of training substantially equivalent to the standards of training of those programs accredited by one of the regional accrediting associations approved by the Council of Postsecondary Accreditation;

[(7)] **(11)** “Temporary license”, a license which is issued to a person licensed as a psychologist in another jurisdiction, who has applied for licensure in this state either by reciprocity or endorsement of the score from the Examination for Professional Practice in Psychology, and who is awaiting either a final determination by the committee relative to such person’s eligibility for licensure or who is awaiting the results of the jurisprudence examination or oral examination.

337.025. 1. The provisions of this section shall govern the education and experience requirements for initial licensure as a psychologist for the following persons:

(1) A person who has not matriculated in a graduate degree program which is primarily psychological in nature on or before August 28, 1990; and

(2) A person who is matriculated after August 28, 1990, in a graduate degree program designed to train professional psychologists.

2. Each applicant shall submit satisfactory evidence to the committee that the applicant has received a doctoral degree in psychology from a recognized educational institution, and has had at least one year of satisfactory supervised professional experience in the field of psychology. 3. A doctoral degree in psychology is defined as:

(1) A program accredited, or provisionally accredited, by the American Psychological Association **or the Canadian Psychological Association**; or

(2) A program designated or approved, including provisional approval, by the [American] Association of State **and Provincial** Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A graduate program that meets all of the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(b) The psychology program shall stand as a recognizable, coherent organizational entity within the institution of higher education;

(c) There shall be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

(d) The program shall be an integrated, organized, sequence of study;

- (e) There shall be an identifiable psychology faculty and a psychologist responsible for the program;
 - (f) The program shall have an identifiable body of students who are matriculated in that program for a degree;
 - (g) The program shall include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology;
 - (h) The curriculum shall encompass a minimum of three academic years of full-time graduate study, with a minimum of one year's residency at the educational institution granting the doctoral degree; and
 - (i) Require the completion by the applicant of a core program in psychology which shall be met by the completion and award of at least one three-semester-hour graduate credit course or a combination of graduate credit courses totaling three semester hours or five quarter hours in each of the following areas:
 - a. The biological bases of behavior such as courses in: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;
 - b. The cognitive-affective bases of behavior such as courses in: learning, thinking, motivation, emotion, and cognitive psychology;
 - c. The social bases of behavior such as courses in: social psychology, group processes/dynamics, interpersonal relationships, and organizational and systems theory;
 - d. Individual differences such as courses in: personality theory, human development, abnormal psychology, developmental psychology, child psychology, adolescent psychology, psychology of aging, and theories of personality;
 - e. The scientific methods and procedures of understanding, predicting and influencing human behavior such as courses in: statistics, experimental design, psychometrics, individual testing, group testing, and research design and methodology.
4. Acceptable supervised professional experience **may be accrued through preinternship, internship, predoctoral postinternship, or postdoctoral experiences. The academic training director or the postdoctoral training supervisor shall attest to the hours accrued to meet the requirements of this section. Such hours** shall consist of:
- (1) A minimum of fifteen hundred hours of [professional] experience [obtained] **in a successfully completed internship to be completed** in not less than twelve nor more than twenty-four [consecutive calendar] months; and
 - (2) A minimum of two thousand hours of experience consisting of any combination of the following:
 - (a) Preinternship and predoctoral postinternship professional experience that occurs following the completion of the first year of the doctoral program or at any time while in a doctoral program after completion of a master's degree in psychology or equivalent as defined by rule by the committee;
 - (b) Up to seven hundred fifty hours obtained while on the internship under subdivision (1) of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this subsection; or
 - (c) Postdoctoral professional experience obtained in no more than twenty-four consecutive

calendar months. In no case shall this experience be accumulated at a rate of [less than twenty hours per week nor] more than fifty hours per week. Postdoctoral supervised professional experience for prospective health service providers **and other applicants** shall involve and relate to the delivery of psychological [health] services[. Postdoctoral supervised professional experience for other applicants shall be] in accordance with professional requirements and relevant to the applicant's intended area of practice.

5. [Postdoctoral] Experience for those applicants who intend to seek health service provider certification and who have completed a program in one or more of the American Psychological Association designated health service provider delivery areas shall be obtained under the primary supervision of a licensed psychologist who is also a health service provider or who otherwise meets the requirements for health service provider certification. [Postdoctoral] Experience for those applicants who do not intend to seek health service provider certification shall be obtained under the primary supervision of a licensed psychologist or such other qualified mental health professional approved by the committee.

6. **For postinternship and postdoctoral hours,** the psychological activities of the applicant shall be performed pursuant to the primary supervisor's order, control, and full professional responsibility. The primary supervisor shall maintain a continuing relationship with the applicant and shall meet with the applicant a minimum of one hour per month in face-to-face individual supervision. Clinical supervision may be delegated by the primary supervisor to one or more secondary supervisors who are qualified psychologists. The secondary supervisors shall retain order, control, and full professional responsibility for the applicant's clinical work under their supervision and shall meet with the applicant a minimum of one hour per week in face-to-face individual supervision. If the primary supervisor is also the clinical supervisor, meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable for supervised professional experience. The primary supervisor shall certify to the committee that the applicant has complied with these requirements and that the applicant has demonstrated ethical and competent practice of psychology. The changing by an agency of the primary supervisor during the course of the supervised experience shall not invalidate the supervised experience.

7. The committee by rule shall provide procedures for exceptions and variances from the requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and other good causes.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 501, Page 7, Section 198.053, Line 9, by inserting after all of said line the following:

“208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as described in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet

division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. Section 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. Section 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Services provided by licensed chiropractic physicians practicing within their scope of practice, as described in chapter 331, for conditions currently reimbursed under MO HealthNet. Nothing in this subdivision shall expand MO HealthNet or the conditions currently covered under section 208.151;

(8) Drugs and medicines when prescribed by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, podiatrist, or an advanced practice registered nurse may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

[[8]] (9) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

[(9)] **(10)** Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

[(10)] **(11)** Home health care services;

[(11)] **(12)** Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in the physician's professional judgment, the life of the mother would be endangered if the fetus were carried to term;

[(12)] **(13)** Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. Section 1396d, et seq.);

[(13)] **(14)** Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

[(14)] **(15)** Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his or her physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198 shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if he or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

[(15)] **(16)** Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. Section 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules. With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

[(16)] **(17)** Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. Section 301, et seq.) subject to appropriation by the general assembly;

[(17)] **(18)** The services of an advanced practice registered nurse with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, and regulations promulgated thereunder;

[(18)] **(19)** Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

[(19)] **(20)** Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

[(20)] **(21)** Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

[(21)] **(22)** Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

[(22)] **(23)** Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

[(23)] **(24)** Blood clotting products-related services. For persons diagnosed with a bleeding disorder, as defined in section 338.400, reliant on blood clotting products, as defined in section 338.400, such services include:

(a) Home delivery of blood clotting products and ancillary infusion equipment and supplies, including

the emergency deliveries of the product when medically necessary;

(b) Medically necessary ancillary infusion equipment and supplies required to administer the blood clotting products; and

(c) Assessments conducted in the participant's home by a pharmacist, nurse, or local home health care agency trained in bleeding disorders when deemed necessary by the participant's treating physician;

[(24)] **(25)** The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Dental services;

(2) Services of podiatrists as defined in section 330.010;

(3) Optometric services as described in section 336.010;

(4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;

(5) Hospice care. As used in this subdivision, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010,

that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions [(14)] **(15)** and [(15)] **(16)** of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. Section 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. Section 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. Section 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. Section 1396a (a)(13)(C).

10. The MO HealthNet division may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178 shall not be considered as income for purposes of determining eligibility under this section.

12. If the Missouri Medicaid audit and compliance unit changes any interpretation or application of the requirements for reimbursement for MO HealthNet services from the interpretation or application that has been applied previously by the state in any audit of a MO HealthNet provider, the Missouri Medicaid audit and compliance unit shall notify all affected MO HealthNet providers five business days before such change shall take effect. Failure of the Missouri Medicaid audit and compliance unit to notify a provider of such change shall entitle the provider to continue to receive and retain reimbursement until such notification is provided and shall waive any liability of such provider for recoupment or other loss of any payments previously made prior to the five business days after such notice has been sent. Each provider shall provide the Missouri Medicaid audit and compliance unit a valid email address and shall agree to receive communications electronically. The notification required under this section shall be delivered in writing by the United States Postal Service or electronic mail to each provider.

13. Nothing in this section shall be construed to abrogate or limit the department's statutory requirement to promulgate rules under chapter 536.

14. Beginning July 1, 2016, and subject to appropriations, providers of behavioral, social, and psychophysiological services for the prevention, treatment, or management of physical health problems shall be reimbursed utilizing the behavior assessment and intervention reimbursement codes 96150 to 96154 or their successor codes under the Current Procedural Terminology (CPT) coding system. Providers eligible for such reimbursement shall include psychologists.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 501, Pages 10 to 13, Section 338.010, Lines 1 to 97, by removing all of said section and lines and inserting in lieu thereof the following:

“338.010. 1. The “practice of pharmacy” means the interpretation, implementation, and evaluation of medical prescription orders, including any legend drugs under 21 U.S.C. Section 353; receipt, transmission, or handling of such orders or facilitating the dispensing of such orders; the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by the prescription order so long as the prescription order is specific to each patient for care by a pharmacist; the compounding, dispensing, labeling, and administration of drugs and devices pursuant to medical prescription orders and administration of viral influenza, pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for persons [twelve] **seven** years of age or older as **recommended by the Centers for Disease Control and Prevention and in accordance with the Advisory Committee on Immunization Practices** as authorized by rule or the administration of pneumonia, shingles, hepatitis A, hepatitis B, diphtheria, tetanus, pertussis, and meningitis vaccines by written protocol authorized by a physician for a specific patient as authorized by rule; the participation in drug selection according to state law and participation in drug utilization reviews; the proper and safe storage of drugs and devices and the maintenance of proper records thereof; consultation with patients and other health care practitioners, and veterinarians and their clients about legend drugs, about the safe and effective use of drugs and devices; and the offering or performing of those acts, services, operations, or transactions necessary in the conduct, operation, management and control of a pharmacy. No person shall engage in the practice of pharmacy unless he is licensed under the provisions of this chapter. This chapter shall not be construed to prohibit the use of auxiliary personnel under the direct supervision of a pharmacist from assisting the pharmacist in any of his or her duties. This assistance in no way is intended to relieve the pharmacist from his or her responsibilities for compliance with this chapter and he or she will be responsible for the actions of the auxiliary personnel acting in his or her assistance. This chapter shall also not be construed to prohibit or interfere with any legally registered practitioner of medicine, dentistry, or podiatry, or veterinary medicine only for use in animals, or the practice of optometry in accordance with and as provided in sections 195.070 and 336.220 in the compounding, administering, prescribing, or dispensing of his or her own prescriptions.

2. Any pharmacist who accepts a prescription order for a medication therapeutic plan shall have a written protocol from the physician who refers the patient for medication therapy services. The written protocol and the prescription order for a medication therapeutic plan shall come from the physician only, and shall not come from a nurse engaged in a collaborative practice arrangement under section 334.104, or from a physician assistant engaged in a supervision agreement under section 334.735.

3. Nothing in this section shall be construed as to prevent any person, firm or corporation from owning a pharmacy regulated by sections 338.210 to 338.315, provided that a licensed pharmacist is in charge of such pharmacy.

4. Nothing in this section shall be construed to apply to or interfere with the sale of nonprescription drugs and the ordinary household remedies and such drugs or medicines as are normally sold by those engaged in the sale of general merchandise.

5. No health carrier as defined in chapter 376 shall require any physician with which they contract to enter into a written protocol with a pharmacist for medication therapeutic services.

6. This section shall not be construed to allow a pharmacist to diagnose or independently prescribe pharmaceuticals.

7. The state board of registration for the healing arts, under section 334.125, and the state board of pharmacy, under section 338.140, shall jointly promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Such rules shall require protocols to include provisions allowing for timely communication between the pharmacist and the referring physician, and any other patient protection provisions deemed appropriate by both boards. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither board shall separately promulgate rules regulating the use of protocols for prescription orders for medication therapy services and administration of viral influenza vaccines. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.

8. The state board of pharmacy may grant a certificate of medication therapeutic plan authority to a licensed pharmacist who submits proof of successful completion of a board-approved course of academic clinical study beyond a bachelor of science in pharmacy, including but not limited to clinical assessment skills, from a nationally accredited college or university, or a certification of equivalence issued by a nationally recognized professional organization and approved by the board of pharmacy.

9. Any pharmacist who has received a certificate of medication therapeutic plan authority may engage in the designing, initiating, implementing, and monitoring of a medication therapeutic plan as defined by a prescription order from a physician that is specific to each patient for care by a pharmacist.

10. Nothing in this section shall be construed to allow a pharmacist to make a therapeutic substitution of a pharmaceutical prescribed by a physician unless authorized by the written protocol or the physician's prescription order.

11. "Veterinarian", "doctor of veterinary medicine", "practitioner of veterinary medicine", "DVM", "VMD", "BVSe", "BVMS", "BSe (Vet Science)", "VMB", "MRCVS", or an equivalent title means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or holds an Educational Commission for Foreign Veterinary Graduates (EDFVG) certificate issued by the American Veterinary Medical Association (AVMA).

12. In addition to other requirements established by the joint promulgation of rules by the board of pharmacy and the state board of registration for the healing arts:

(1) A pharmacist shall administer vaccines **by protocol** in accordance with treatment guidelines established by the Centers for Disease Control and Prevention (CDC);

(2) A pharmacist who is administering a vaccine shall request a patient to remain in the pharmacy a safe amount of time after administering the vaccine to observe any adverse reactions. Such pharmacist shall have adopted emergency treatment protocols;

(3) In addition to other requirements by the board, a pharmacist shall receive additional training as required by the board and evidenced by receiving a certificate from the board upon completion, and shall display the certification in his or her pharmacy where vaccines are delivered.

13. A pharmacist shall provide a written report within fourteen days of administration of a vaccine to the patient's primary health care provider, if provided by the patient, containing:

- (1) The identity of the patient;
- (2) The identity of the vaccine or vaccines administered;
- (3) The route of administration;
- (4) The anatomic site of the administration;
- (5) The dose administered; and
- (6) The date of administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 501, Page 7, Section 198.053, Line 9, by inserting immediately after said section and line the following:

“209.150. 1. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the same rights afforded to a person with no such disability to the full and free use of the streets, highways, sidewalks, walkways, public buildings, public facilities, and other public places.

2. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, is entitled to full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, taxis, streetcars, boats or any other public conveyances or modes of transportation, hotels, lodging places, places of public accommodation, amusement or resort, and other places to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

3. Every person with a visual, aural or other disability including diabetes, as **disability is** defined in section 213.010, shall have the right to be accompanied by a guide dog, hearing dog, or service dog, **as defined in section 209.200**, which is especially trained for the purpose, in any of the places listed in subsection 2 of this section without being required to pay an extra charge for the guide dog, hearing dog or service dog; provided that such person shall be liable for any damage done to the premises or facilities by such dog.

4. As used in sections 209.150 to 209.190, the term “service dog” [means any dog specifically trained to assist a person with a physical or mental disability by performing necessary tasks or doing work which the person cannot perform. Such tasks shall include, but not be limited to, pulling a wheelchair, retrieving items, carrying supplies, and search and rescue of an individual with a disability] **shall be as defined in section 209.200.**

209.200. As used in sections [209.200] **209.150** to 209.204, not to exceed the provisions of the Americans With Disabilities Act, the following terms shall mean:

- (1) “Disability”, as defined in section 213.010 including diabetes;
- (2) “Service dog”, a dog that is being or has been specially trained to do work or perform tasks which

benefit a particular person with a disability. Service dog includes but is not limited to:

(a) “Guide dog”, a dog that is being or has been specially trained to assist a particular blind or visually impaired person;

(b) “Hearing dog”, a dog that is being or has been specially trained to assist a particular deaf or hearing-impaired person;

(c) “Medical alert or [respond] **response** dog”, a dog that is being or has been trained to alert a person with a disability that a particular medical event is about to occur or to respond to a medical event that has occurred;

(d) **“Mental health service dog” or “psychiatric service dog”, a dog individually trained for its owner who is diagnosed with a psychiatric disability, medical condition, or developmental disability recognized in the most recently published Diagnostic and Statistical Manual of Mental Disorders (DSM) to perform tasks that mitigate or assist with difficulties including, but not limited to, alerting or responding to episodes such as panic attacks and anxiety and performing other tasks directly related to the owner’s psychiatric disability, medical condition, or developmental disability including, but not limited to, autism spectrum disorder, epilepsy, major depressive disorder, bipolar disorder, Alzheimer’s disease, dementia, post-traumatic stress disorder (PTSD), anxiety disorder, obsessive compulsive disorder, schizophrenia, and other mental illnesses and invisible disabilities;**

(e) “Mobility dog”, a dog that is being or has been specially trained to assist a person with a disability caused by physical impairments;

[(e)] (f) “Professional therapy dog”, a dog which is selected, trained, and tested to provide specific physical therapeutic functions, under the direction and control of a qualified handler who works with the dog as a team as a part of the handler’s occupation or profession. Such dogs, with their handlers, perform such functions in institutional settings, community-based group settings, or when providing services to specific persons who have disabilities. Professional therapy dogs do not include dogs, certified or not, which are used by volunteers in visitation therapy;

[(f)] (g) “Search and rescue dog”, a dog that is being or has been trained to search for or prevent a person with a mental disability, including but not limited to verbal and nonverbal autism, from becoming lost;

(3) “Service dog team”, a team consisting of a trained service dog, a disabled person or child, and a person who is an adult and who has been trained to handle the service dog.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 501, Page 10, Section 334.036, Line 64, by inserting immediately after said section and line the following:

“334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

(1) “Applicant”, any individual who seeks to become licensed as a physician assistant;

(2) “Certification” or “registration”, a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;

(3) “Certifying entity”, the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;

(4) “Department”, the department of insurance, financial institutions and professional registration or a designated agency thereof;

(5) “License”, a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;

(6) “Physician assistant”, a person who has graduated from a physician assistant program accredited by the American Medical Association’s Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;

(7) “Recognition”, the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;

(8) “Supervision”, control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant’s delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient’s home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant’s training and that the physician assistant shall not practice beyond the physician assistant’s training and experience. Appropriate supervision shall require the supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician’s four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, where the supervising physician is no further than fifty miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

- (1) Taking patient histories;
- (2) Performing physical examinations of a patient;
- (3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;
- (4) Performing routine therapeutic procedures;
- (5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;
- (6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;
- (7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;
- (8) Assisting in surgery;
- (9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and
- (10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe [nor dispense] any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during diagnostic tests, surgery or obstetric procedures. Prescribing [and dispensing] of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

- (1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;
- (2) The types of drugs, medications, devices or therapies prescribed [or dispensed] by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;
- (3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;
- (4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients; **and**
- (5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe[; and

(6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less].

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet or Medicaid provider while acting under a supervision agreement between the physician and physician assistant.

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 501, Page 10, Section 334.036, Line 64, by inserting immediately after said section and line the following:

"334.037. 1. A physician may enter into collaborative practice arrangements with assistant physicians. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to an assistant physician the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the assistant physician and is consistent with that assistant physician's skill, training, and competence and the skill and training of the collaborating physician.

2. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the

collaborating physician and the assistant physician;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the assistant physician to prescribe;

(3) A requirement that there shall be posted at every office where the assistant physician is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an assistant physician and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the assistant physician;

(5) The manner of collaboration between the collaborating physician and the assistant physician, including how the collaborating physician and the assistant physician shall:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain **a geographic proximity of no further than seventy-five miles**; except, the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. Such exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics if the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics if the main location of the hospital sponsor is greater than fifty miles from the clinic. The collaborating physician shall maintain documentation related to such requirement and present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the assistant physician's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the assistant physician to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the assistant physician;

(8) The duration of the written practice agreement between the collaborating physician and the assistant physician;

(9) A description of the time and manner of the collaborating physician's review of the assistant physician's delivery of health care services. The description shall include provisions that the assistant physician shall submit a minimum of ten percent of the charts documenting the assistant physician's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the assistant physician prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

3. The state board of registration for the healing arts under section 334.125 shall promulgate rules regulating the use of collaborative practice arrangements for assistant physicians. Such rules shall specify:

(1) Geographic areas to be covered;

(2) The methods of treatment that may be covered by collaborative practice arrangements;

(3) In conjunction with deans of medical schools and primary care residency program directors in the state, the development and implementation of educational methods and programs undertaken during the collaborative practice service which shall facilitate the advancement of the assistant physician's medical knowledge and capabilities, and which may lead to credit toward a future residency program for programs that deem such documented educational achievements acceptable; and

(4) The requirements for review of services provided under collaborative practice arrangements, including delegating authority to prescribe controlled substances.

Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. The state board of registration for the healing arts shall promulgate rules applicable to assistant physicians that shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

4. The state board of registration for the healing arts shall not deny, revoke, suspend, or otherwise take disciplinary action against a collaborating physician for health care services delegated to an assistant physician provided the provisions of this section and the rules promulgated thereunder are satisfied.

5. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice arrangement, including collaborative practice arrangements delegating the authority to prescribe controlled substances, and also report to the board the name of each assistant physician with whom the physician has entered into such arrangement. The board may make such information available to the public. The board shall track the reported information and may routinely conduct random reviews of such arrangements to ensure that arrangements are carried out for compliance under this chapter.

6. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent assistant physicians. Such limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

7. The collaborating physician shall determine and document the completion of at least a one-month period of time during which the assistant physician shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. Such limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

8. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

9. No contract or other agreement shall require a physician to act as a collaborating physician for an assistant physician against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular assistant physician. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any assistant physician, but such requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by a hospital's medical staff.

10. No contract or other agreement shall require any assistant physician to serve as a collaborating assistant physician for any collaborating physician against the assistant physician's will. An assistant physician shall have the right to refuse to collaborate, without penalty, with a particular physician.

11. All collaborating physicians and assistant physicians in collaborative practice arrangements shall wear identification badges while acting within the scope of their collaborative practice arrangement. The identification badges shall prominently display the licensure status of such collaborating physicians and assistant physicians.

12. (1) An assistant physician with a certificate of controlled substance prescriptive authority as provided in this section may prescribe any controlled substance listed in Schedule III, IV, or V of section 195.017, and may have restricted authority in Schedule II, when delegated the authority to prescribe controlled substances in a collaborative practice arrangement. Prescriptions for Schedule II medications prescribed by an assistant physician who has a certificate of controlled substance prescriptive authority are restricted to only those medications containing hydrocodone. Such authority shall be filed with the state board of registration for the healing arts. The collaborating physician shall maintain the right to limit a specific scheduled drug or scheduled drug category that the assistant physician is permitted to prescribe. Any limitations shall be listed in the collaborative practice arrangement. Assistant physicians shall not prescribe controlled substances for themselves or members of their families. Schedule III controlled substances and Schedule II - hydrocodone prescriptions shall be limited to a five-day supply without refill. Assistant physicians who are authorized to prescribe controlled substances under this section shall register with the federal Drug Enforcement Administration and the state bureau of narcotics and dangerous drugs, and shall include the Drug Enforcement Administration registration number on prescriptions for controlled substances.

(2) The collaborating physician shall be responsible to determine and document the completion of at least one hundred twenty hours in a four-month period by the assistant physician during which the assistant physician shall practice with the collaborating physician on-site prior to prescribing controlled substances when the collaborating physician is not on-site. Such limitation shall not apply to assistant physicians of population-based public health services as defined in 20 CSR 2150-5.100 as of April 30, 2009.

(3) An assistant physician shall receive a certificate of controlled substance prescriptive authority from the state board of registration for the healing arts upon verification of licensure under section 334.036.

334.104. 1. A physician may enter into collaborative practice arrangements with registered professional

nurses. Collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols, or standing orders for the delivery of health care services. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer or dispense drugs and provide treatment as long as the delivery of such health care services is within the scope of practice of the registered professional nurse and is consistent with that nurse's skill, training and competence.

2. Collaborative practice arrangements, which shall be in writing, may delegate to a registered professional nurse the authority to administer, dispense or prescribe drugs and provide treatment if the registered professional nurse is an advanced practice registered nurse as defined in subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity **of no further than seventy-five miles**, except the collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-210, as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic.

The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to dispensing or distribution of medications or devices by prescription or prescription drug orders under this section shall be subject to the approval of the state board of pharmacy. Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority vote of a quorum of each board. Neither the state board of registration for the healing arts nor the board of nursing may separately promulgate rules relating to collaborative practice arrangements. Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The rulemaking authority granted in this subsection shall not extend to collaborative practice arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

5. The state board of registration for the healing arts shall not deny, revoke, suspend or otherwise take disciplinary action against a physician for health care services delegated to a registered professional nurse

provided the provisions of this section and the rules promulgated thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action imposed as a result of an agreement between a physician and a registered professional nurse or registered physician assistant, whether written or not, prior to August 28, 1993, all records of such disciplinary licensure action and all records pertaining to the filing, investigation or review of an alleged violation of this chapter incurred as a result of such an agreement shall be removed from the records of the state board of registration for the healing arts and the division of professional registration and shall not be disclosed to any public or private entity seeking such information from the board or the division. The state board of registration for the healing arts shall take action to correct reports of alleged violations and disciplinary actions as described in this section which have been submitted to the National Practitioner Data Bank. In subsequent applications or representations relating to his medical practice, a physician completing forms or documents shall not be required to report any actions of the state board of registration for the healing arts for which the records are subject to removal under this section.

6. Within thirty days of any change and on each renewal, the state board of registration for the healing arts shall require every physician to identify whether the physician is engaged in any collaborative practice agreement, including collaborative practice agreements delegating the authority to prescribe controlled substances, or physician assistant agreement and also report to the board the name of each licensed professional with whom the physician has entered into such agreement. The board may make this information available to the public. The board shall track the reported information and may routinely conduct random reviews of such agreements to ensure that agreements are carried out for compliance under this chapter.

7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a collaborative practice arrangement provided that he or she is under the supervision of an anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed. Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative practice arrangement under this section, except that the collaborative practice arrangement may not delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone.

8. A collaborating physician shall not enter into a collaborative practice arrangement with more than three full-time equivalent advanced practice registered nurses. This limitation shall not apply to collaborative arrangements of hospital employees providing inpatient care service in hospitals as defined in chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

9. It is the responsibility of the collaborating physician to determine and document the completion of at least a one-month period of time during which the advanced practice registered nurse shall practice with the collaborating physician continuously present before practicing in a setting where the collaborating physician is not continuously present. This limitation shall not apply to collaborative arrangements of providers of population-based public health services as defined by 20 CSR 2150-5.100 as of April 30, 2008.

10. No agreement made under this section shall supersede current hospital licensing regulations governing hospital medication orders under protocols or standing orders for the purpose of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical therapeutics committee.

11. No contract or other agreement shall require a physician to act as a collaborating physician for an advanced practice registered nurse against the physician's will. A physician shall have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced practice registered nurse. No contract or other agreement shall limit the collaborating physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any advanced practice registered nurse, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by hospital's medical staff.

12. No contract or other agreement shall require any advanced practice registered nurse to serve as a collaborating advanced practice registered nurse for any collaborating physician against the advanced practice registered nurse's will. An advanced practice registered nurse shall have the right to refuse to collaborate, without penalty, with a particular physician.

334.735. 1. As used in sections 334.735 to 334.749, the following terms mean:

- (1) "Applicant", any individual who seeks to become licensed as a physician assistant;
- (2) "Certification" or "registration", a process by a certifying entity that grants recognition to applicants meeting predetermined qualifications specified by such certifying entity;
- (3) "Certifying entity", the nongovernmental agency or association which certifies or registers individuals who have completed academic and training requirements;
- (4) "Department", the department of insurance, financial institutions and professional registration or a designated agency thereof;
- (5) "License", a document issued to an applicant by the board acknowledging that the applicant is entitled to practice as a physician assistant;
- (6) "Physician assistant", a person who has graduated from a physician assistant program accredited by the American Medical Association's Committee on Allied Health Education and Accreditation or by its successor agency, who has passed the certifying examination administered by the National Commission on Certification of Physician Assistants and has active certification by the National Commission on Certification of Physician Assistants who provides health care services delegated by a licensed physician. A person who has been employed as a physician assistant for three years prior to August 28, 1989, who has passed the National Commission on Certification of Physician Assistants examination, and has active certification of the National Commission on Certification of Physician Assistants;
- (7) "Recognition", the formal process of becoming a certifying entity as required by the provisions of sections 334.735 to 334.749;
- (8) "Supervision", control exercised over a physician assistant working with a supervising physician and oversight of the activities of and accepting responsibility for the physician assistant's delivery of care. The physician assistant shall only practice at a location where the physician routinely provides patient care, except existing patients of the supervising physician in the patient's home and correctional facilities. The supervising physician must be immediately available in person or via telecommunication during the time the physician assistant is providing patient care. Prior to commencing practice, the supervising physician and physician assistant shall attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and that the physician assistant shall not practice beyond the physician assistant's training and experience. Appropriate supervision shall require the

supervising physician to be working within the same facility as the physician assistant for at least four hours within one calendar day for every fourteen days on which the physician assistant provides patient care as described in subsection 3 of this section. Only days in which the physician assistant provides patient care as described in subsection 3 of this section shall be counted toward the fourteen-day period. The requirement of appropriate supervision shall be applied so that no more than thirteen calendar days in which a physician assistant provides patient care shall pass between the physician's four hours working within the same facility. The board shall promulgate rules pursuant to chapter 536 for documentation of joint review of the physician assistant activity by the supervising physician and the physician assistant.

2. (1) A supervision agreement shall limit the physician assistant to practice only at locations described in subdivision (8) of subsection 1 of this section, where the supervising physician is no further than [fifty] **seventy-five** miles by road using the most direct route available and where the location is not so situated as to create an impediment to effective intervention and supervision of patient care or adequate review of services.

(2) For a physician-physician assistant team working in a rural health clinic under the federal Rural Health Clinic Services Act, P.L. 95-210, as amended, no supervision requirements in addition to the minimum federal law shall be required.

3. The scope of practice of a physician assistant shall consist only of the following services and procedures:

(1) Taking patient histories;

(2) Performing physical examinations of a patient;

(3) Performing or assisting in the performance of routine office laboratory and patient screening procedures;

(4) Performing routine therapeutic procedures;

(5) Recording diagnostic impressions and evaluating situations calling for attention of a physician to institute treatment procedures;

(6) Instructing and counseling patients regarding mental and physical health using procedures reviewed and approved by a licensed physician;

(7) Assisting the supervising physician in institutional settings, including reviewing of treatment plans, ordering of tests and diagnostic laboratory and radiological services, and ordering of therapies, using procedures reviewed and approved by a licensed physician;

(8) Assisting in surgery;

(9) Performing such other tasks not prohibited by law under the supervision of a licensed physician as the physician's assistant has been trained and is proficient to perform; and

(10) Physician assistants shall not perform or prescribe abortions.

4. Physician assistants shall not prescribe nor dispense any drug, medicine, device or therapy unless pursuant to a physician supervision agreement in accordance with the law, nor prescribe lenses, prisms or contact lenses for the aid, relief or correction of vision or the measurement of visual power or visual efficiency of the human eye, nor administer or monitor general or regional block anesthesia during

diagnostic tests, surgery or obstetric procedures. Prescribing and dispensing of drugs, medications, devices or therapies by a physician assistant shall be pursuant to a physician assistant supervision agreement which is specific to the clinical conditions treated by the supervising physician and the physician assistant shall be subject to the following:

(1) A physician assistant shall only prescribe controlled substances in accordance with section 334.747;

(2) The types of drugs, medications, devices or therapies prescribed or dispensed by a physician assistant shall be consistent with the scopes of practice of the physician assistant and the supervising physician;

(3) All prescriptions shall conform with state and federal laws and regulations and shall include the name, address and telephone number of the physician assistant and the supervising physician;

(4) A physician assistant, or advanced practice registered nurse as defined in section 335.016 may request, receive and sign for noncontrolled professional samples and may distribute professional samples to patients;

(5) A physician assistant shall not prescribe any drugs, medicines, devices or therapies the supervising physician is not qualified or authorized to prescribe; and

(6) A physician assistant may only dispense starter doses of medication to cover a period of time for seventy-two hours or less.

5. A physician assistant shall clearly identify himself or herself as a physician assistant and shall not use or permit to be used in the physician assistant's behalf the terms "doctor", "Dr." or "doc" nor hold himself or herself out in any way to be a physician or surgeon. No physician assistant shall practice or attempt to practice without physician supervision or in any location where the supervising physician is not immediately available for consultation, assistance and intervention, except as otherwise provided in this section, and in an emergency situation, nor shall any physician assistant bill a patient independently or directly for any services or procedure by the physician assistant; except that, nothing in this subsection shall be construed to prohibit a physician assistant from enrolling with the department of social services as a MO HealthNet or Medicaid provider while acting under a supervision agreement between the physician and physician assistant.

6. For purposes of this section, the licensing of physician assistants shall take place within processes established by the state board of registration for the healing arts through rule and regulation. The board of healing arts is authorized to establish rules pursuant to chapter 536 establishing licensing and renewal procedures, supervision, supervision agreements, fees, and addressing such other matters as are necessary to protect the public and discipline the profession. An application for licensing may be denied or the license of a physician assistant may be suspended or revoked by the board in the same manner and for violation of the standards as set forth by section 334.100, or such other standards of conduct set by the board by rule or regulation. Persons licensed pursuant to the provisions of chapter 335 shall not be required to be licensed as physician assistants. All applicants for physician assistant licensure who complete a physician assistant training program after January 1, 2008, shall have a master's degree from a physician assistant program.

7. "Physician assistant supervision agreement" means a written agreement, jointly agreed-upon protocols or standing order between a supervising physician and a physician assistant, which provides for the delegation of health care services from a supervising physician to a physician assistant and the review

of such services. The agreement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, telephone numbers, and state license numbers of the supervising physician and the physician assistant;

(2) A list of all offices or locations where the physician routinely provides patient care, and in which of such offices or locations the supervising physician has authorized the physician assistant to practice;

(3) All specialty or board certifications of the supervising physician;

(4) The manner of supervision between the supervising physician and the physician assistant, including how the supervising physician and the physician assistant shall:

(a) Attest on a form provided by the board that the physician shall provide supervision appropriate to the physician assistant's training and experience and that the physician assistant shall not practice beyond the scope of the physician assistant's training and experience nor the supervising physician's capabilities and training; and

(b) Provide coverage during absence, incapacity, infirmity, or emergency by the supervising physician;

(5) The duration of the supervision agreement between the supervising physician and physician assistant; and

(6) A description of the time and manner of the supervising physician's review of the physician assistant's delivery of health care services. Such description shall include provisions that the supervising physician, or a designated supervising physician listed in the supervision agreement review a minimum of ten percent of the charts of the physician assistant's delivery of health care services every fourteen days.

8. When a physician assistant supervision agreement is utilized to provide health care services for conditions other than acute self-limited or well-defined problems, the supervising physician or other physician designated in the supervision agreement shall see the patient for evaluation and approve or formulate the plan of treatment for new or significantly changed conditions as soon as practical, but in no case more than two weeks after the patient has been seen by the physician assistant.

9. At all times the physician is responsible for the oversight of the activities of, and accepts responsibility for, health care services rendered by the physician assistant.

10. It is the responsibility of the supervising physician to determine and document the completion of at least a one-month period of time during which the licensed physician assistant shall practice with a supervising physician continuously present before practicing in a setting where a supervising physician is not continuously present.

11. No contract or other agreement shall require a physician to act as a supervising physician for a physician assistant against the physician's will. A physician shall have the right to refuse to act as a supervising physician, without penalty, for a particular physician assistant. No contract or other agreement shall limit the supervising physician's ultimate authority over any protocols or standing orders or in the delegation of the physician's authority to any physician assistant, but this requirement shall not authorize a physician in implementing such protocols, standing orders, or delegation to violate applicable standards for safe medical practice established by the hospital's medical staff.

12. Physician assistants shall file with the board a copy of their supervising physician form.

13. No physician shall be designated to serve as supervising physician for more than three full-time equivalent licensed physician assistants. This limitation shall not apply to physician assistant agreements of hospital employees providing inpatient care service in hospitals as defined in chapter 197.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 501, Page 6, Section 195.206, Line 34, by inserting immediately after all of said section and line the following:

“196.990. 1. As used in this section, the following terms shall mean:

(1) “Administer”, the direct application of an epinephrine auto-injector to the body of an individual;

(2) “Authorized entity”, any entity or organization at or in connection with which allergens capable of causing anaphylaxis may be present including, but not limited to, restaurants, recreation camps, youth sports leagues, amusement parks, and sports arenas. “Authorized entity” shall not include any public school or public charter school;

(3) “Epinephrine auto-injector”, a single-use device used for the automatic injection of a premeasured dose of epinephrine into the human body;

(4) “Physician”, a physician licensed in this state under chapter 334;

(5) “Provide”, the supply of one or more epinephrine auto-injectors to an individual;

(6) “Self-administration”, a person’s discretionary use of an epinephrine auto-injector.

2. A physician may prescribe epinephrine auto-injectors in the name of an authorized entity for use in accordance with this section, and pharmacists, physicians, and other persons authorized to dispense prescription medications may dispense epinephrine auto-injectors under a prescription issued in the name of an authorized entity.

3. An authorized entity may acquire and stock a supply of epinephrine auto-injectors under a prescription issued in accordance with this section. Such epinephrine auto-injectors shall be stored in a location readily accessible in an emergency and in accordance with the epinephrine auto-injector’s instructions for use and any additional requirements established by the department of health and senior services by rule. An authorized entity shall designate employees or agents who have completed the training required under this section to be responsible for the storage, maintenance, and general oversight of epinephrine auto-injectors acquired by the authorized entity.

4. An authorized entity that acquires a supply of epinephrine auto-injectors under a prescription issued in accordance with this section shall ensure that:

(1) Expected epinephrine auto-injector users receive training in recognizing symptoms of severe allergic reactions including anaphylaxis and the use of epinephrine auto-injectors from a nationally recognized organization experienced in training laypersons in emergency health treatment or another entity or person approved by the department of health and senior services;

(2) All epinephrine auto-injectors are maintained and stored according to the epinephrine auto-

injector's instructions for use;

(3) Any person who provides or administers an epinephrine auto-injector to an individual who the person believes in good faith is experiencing anaphylaxis activates the emergency medical services system as soon as possible; and

(4) A proper review of all situations in which an epinephrine auto-injector is used to render emergency care is conducted.

5. Any authorized entity that acquires a supply of epinephrine auto-injectors under a prescription issued in accordance with this section shall notify the emergency communications district or the ambulance dispatch center of the primary provider of emergency medical services where the epinephrine auto-injectors are to be located within the entity's facility.

6. No person shall provide or administer an epinephrine auto-injector to any individual who is under eighteen years of age without the verbal consent of a parent or guardian who is present at the time when provision or administration of the epinephrine auto-injector is needed. Provided, however, that a person may provide or administer an epinephrine auto-injector to such an individual without the consent of a parent or guardian if the parent or guardian is not physically present and the person reasonably believes the individual shall be in imminent danger without the provision or administration of the epinephrine auto-injector.

7. The following persons and entities shall not be liable for any injuries or related damages that result from the administration or self-administration of an epinephrine auto-injector in accordance with this section that may constitute ordinary negligence:

(1) An authorized entity that possesses and makes available epinephrine auto-injectors and its employees, agents, and other trained persons;

(2) Any person who uses an epinephrine auto-injector made available under this section;

(3) A physician that prescribes epinephrine auto-injectors to an authorized entity; or

(4) Any person or entity that conducts the training described in this section.

Such immunity does not apply to acts or omissions constituting a reckless disregard for the safety of others or willful or wanton conduct. The administration of an epinephrine auto-injector in accordance with this section shall not be considered the practice of medicine. The immunity from liability provided under this subsection is in addition to and not in lieu of that provided under section 537.037. An authorized entity located in this state shall not be liable for any injuries or related damages that result from the provision or administration of an epinephrine auto-injector by its employees or agents outside of this state if the entity or its employee or agent are not liable for such injuries or related damages under the laws of the state in which such provision or administration occurred. No trained person who is in compliance with this section and who in good faith and exercising reasonable care fails to administer an epinephrine auto-injector shall be liable for such failure.

8. All basic life support ambulances and stretcher vans operated in the state shall be equipped with epinephrine auto-injectors and be staffed by at least one individual trained in the use of epinephrine auto-injectors.

9. The provisions of this section shall apply in all counties within the state and any city not within a county.

10. Nothing in this section shall be construed as superseding the provisions of section 167.630.”;
and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 501, Page 3, Section 191.227, Line 70, by inserting immediately after all of said section and line the following:

“192.945. 1. As used in this section, the following terms shall mean:

- (1) “Department”, the department of health and senior services;
- (2) “Hemp extract”, as such term is defined in section 195.207;
- (3) “Hemp extract registration card”, a card issued by the department under this section;
- (4) “Intractable epilepsy”, epilepsy that as determined by a neurologist does not respond to three or more treatment options overseen by the neurologist;
- (5) “Neurologist”, a physician who is licensed under chapter 334 and board certified in neurology;
- (6) “Parent”, a parent or legal guardian of a minor who is responsible for the minor’s medical care;
- (7) **“Physician”, a person who is a physician licensed by the state board of registration for the healing arts and practicing within this state;**
- (8) “Registrant”, an individual to whom the department issues a hemp extract registration card under this section.

2. The department shall issue a hemp extract registration card to an individual who:

- (1) Is eighteen years of age or older;
- (2) Is a Missouri resident;
- (3) Provides the department with a statement signed by a neurologist **or physician** that:
 - (a) Indicates that the individual suffers from intractable epilepsy and may benefit from treatment with hemp extract; and
 - (b) Is consistent with a record from the neurologist **or physician** concerning the individual contained in the database described in subsection 9 of this section;
- (4) Pays the department a fee in an amount established by the department under subsection 6 of this section; and
- (5) Submits an application to the department on a form created by the department that contains:
 - (a) The individual’s name and address;
 - (b) A copy of the individual’s valid photo identification; and

(c) Any other information the department considers necessary to implement the provisions of this section.

3. The department shall issue a hemp extract registration card to a parent who:

(1) Is eighteen years of age or older;

(2) Is a Missouri resident;

(3) Provides the department with a statement signed by a neurologist **or physician** that:

(a) Indicates that a minor in the parent's care suffers from intractable epilepsy and may benefit from treatment with hemp extract; and

(b) Is consistent with a record from the neurologist **or physician** concerning the minor contained in the database described in subsection 9 of this section;

(4) Pays the department a fee in an amount established by the department under subsection 6 of this section; and

(5) Submits an application to the department on a form created by the department that contains:

(a) The parent's name and address;

(b) The minor's name;

(c) A copy of the parent's valid photo identification; and

(d) Any other information the department considers necessary to implement the provisions of this section.

4. The department shall maintain a record of the name of each registrant and the name of each minor receiving care from a registrant.

5. The department shall promulgate rules to:

(1) Implement the provisions of this section including establishing the information the applicant is required to provide to the department and establishing in accordance with recommendations from the department of public safety the form and content of the hemp extract registration card; and

(2) Regulate the distribution of hemp extract from a cannabidiol oil care center to a registrant, which shall be in addition to any other state or federal regulations; and

The department may promulgate rules to authorize clinical trials involving hemp extract.

6. The department shall establish fees that are no greater than the amount necessary to cover the cost the department incurs to implement the provisions of this section.

7. The registration cards issued under this section shall be valid for one year and renewable if at the time of renewal the registrant meets the requirements of either subsection 2 or 3 of this section.

8. The neurologist **or physician** who signs the statement described in subsection 2 or 3 of this section shall:

(1) Keep a record of the neurologist's **or physician's** evaluation and observation of a patient who is a

registrant or minor under a registrant's care including the patient's response to hemp extract; and

(2) Transmit the record described in subdivision (1) of this subsection to the department.

9. The department shall maintain a database of the records described in subsection 8 of this section and treat the records as identifiable health data.

10. The department may share the records described in subsection 9 of this section with a higher education institution for the purpose of studying hemp extract.

11. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after July 14, 2014, shall be invalid and void.

192.947. 1. No individual or health care entity organized under the laws of this state shall be subject to any adverse action by the state or any agency, board, or subdivision thereof, including civil or criminal prosecution, denial of any right or privilege, the imposition of a civil or administrative penalty or sanction, or disciplinary action by any accreditation or licensing board or commission if such individual or health care entity, in its normal course of business and within its applicable licenses and regulations, acts in good faith upon or in furtherance of any order or recommendation by a neurologist **or physician** authorized under section 192.945 relating to the medical use and administration of hemp extract with respect to an eligible patient.

2. The provisions of subsection 1 of this section shall apply to the recommendation, possession, handling, storage, transfer, destruction, dispensing, or administration of hemp extract, including any act in preparation of such dispensing or administration.

3. This section shall not be construed to limit the rights provided under law for a patient to bring a civil action for damages against a physician, hospital, registered or licensed practical nurse, pharmacist, any other individual or entity providing health care services, or an employee of any entity listed in this subsection.
“; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 10

Amend House Committee Substitute for Senate Bill No. 501, Page 1, Section 9.240, Line 2, by inserting immediately after said section and line the following:

“190.142. 1. **(1) For applications submitted before the recognition of EMS personnel licensure interstate compact under sections 334.1500 to 334.1539 takes effect**, the department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license; **and**

(2) For applications submitted after the recognition of EMS personnel licensure interstate compact under sections 334.1500 to 334.1539 takes effect, an applicant for initial licensure as an emergency medical technician in this state shall submit to a background check by the Missouri state highway patrol and the Federal Bureau of Investigation through a process approved by the

department of health and senior services. Such processes may include the use of vendors or systems administered by the Missouri state highway patrol. The department may share the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 334.1500, of the recognition of EMS personnel licensure interstate compact. The department shall not issue a license until the department receives the results of an applicant's criminal background check from the Missouri state highway patrol and the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a temporary license as provided under section 190.143. Any fees due for a criminal background check shall be paid by the applicant.

The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Education and training requirements based on respective national curricula of the United States Department of Transportation and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Initial licensure testing requirements. Initial EMT-P licensure testing shall be through the national registry of EMTs or examinations developed and administered by the department of health and senior services;

(4) Continuing education and relicensure requirements; and

(5) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable

and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.”; and

Further amend said bill, Page 6, Section 195.206, Line 34, by inserting immediately after said section and line the following:

“195.430. 1. There is hereby established in the state treasury the “Controlled Substance Abuse Prevention Fund”, which shall consist of moneys appropriated by the general assembly, not to exceed the amount of fees collected by the department of health and senior services for the issuance of registrations to manufacture, distribute, or dispense controlled substances. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and moneys in the fund shall be used solely for the operation, regulation, enforcement, and educational activities of the bureau of narcotics and dangerous drugs. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. All fees authorized to be charged by the department shall be transmitted to the department of revenue for deposit in the state treasury for credit to the fund, to be disbursed solely for the payment of operating expenses of the bureau of narcotics and dangerous drugs to conduct inspections, enforce controlled substances laws and regulations, provide education to health care professionals and the public, and prevent abuse of controlled substances.

3. Any moneys appropriated or made available by gift, grant, bequest, contribution, or otherwise to carry out the purposes of this section shall be paid to and deposited in the controlled substances abuse prevention fund.”; and

Further amend said bill, Page 10, Section 334.036, Line 64, by inserting after said section and line the following:

“334.1500. 1. The “Recognition of EMS Personnel Licensure Interstate Compact” (REPLICA) is hereby enacted into law and entered into with all other jurisdictions legally joining therein, in the form substantially as follows in sections 334.1500 to 334.1539.

2. As used in sections 334.1500 to 334.1539, the following terms mean:

(1) “Advanced emergency medical technician” or “AEMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(2) “Adverse action”, any administrative, civil, equitable, or criminal action permitted by a state’s laws that may be imposed against licensed EMS personnel by a state EMS authority or state court including, but not limited to, actions against an individual’s license such as revocation, suspension, probation, consent agreement, monitoring or other limitation, or encumbrance on the individual’s practice, letters of reprimand or admonition, fines, criminal convictions, and state court judgments enforcing adverse actions by the state EMS authority;

(3) “Certification”, the successful verification of entry-level cognitive and psychomotor competency using a reliable, validated, and legally defensible examination;

(4) “Commission”, the national administrative body of which all states that have enacted the compact are members;

(5) “Emergency medical technician” or “EMT”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(6) “EMS”, emergency medical services;

(7) “Home state”, a member state where an individual is licensed to practice emergency medical services;

(8) “License”, the authorization by a state for an individual to practice as an EMT, AEMT, paramedic, or a level in between EMT and paramedic;

(9) “Medical director”, a physician licensed in a member state who is accountable for the care delivered by EMS personnel;

(10) “Member state”, a state that has enacted this compact;

(11) “Paramedic”, an individual licensed with cognitive knowledge and a scope of practice that corresponds to that level in the National EMS Education Standards and National EMS Scope of Practice Model;

(12) “Privilege to practice”, an individual’s authority to deliver emergency medical services in remote states as authorized under this compact;

(13) “Remote state”, a member state in which an individual is not licensed;

(14) “Restricted”, the outcome of an adverse action that limits a license or the privilege to practice;

(15) “Rule”, a written statement by the interstate commission promulgated under section 334.1530 of this compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the compact; or is an organizational, procedural, or practice requirement of the commission and has the force and effect of statutory law in a member state and includes the amendment, repeal, or suspension of an existing rule;

(16) “Scope of practice”, defined parameters of various duties or services that may be provided by an individual with specific credentials. Whether regulated by rule, statute, or court decision, it tends to represent the limits of services an individual may perform;

(17) “Significant investigatory information”:

(a) Investigative information that a state EMS authority, after a preliminary inquiry that includes notification and an opportunity to respond if required by state law, has reason to believe, if proven true, would result in the imposition of an adverse action on a license or privilege to practice; or

(b) Investigative information that indicates that the individual represents an immediate threat to public health and safety, regardless of whether the individual has been notified and had an opportunity to respond;

(18) “State”, any state, commonwealth, district, or territory of the United States;

(19) “State EMS authority”, the board, office, or other agency with the legislative mandate to license EMS personnel.

334.1503. 1. Any member state in which an individual holds a current license shall be deemed a home state for purposes of this compact.

2. Any member state may require an individual to obtain and retain a license to be authorized to practice in the member state under circumstances not authorized by the privilege to practice under the terms of this compact.

3. A home state’s license authorizes an individual to practice in a remote state under the privilege to practice only if the home state:

(1) Currently requires the use of the National Registry of Emergency Medical Technicians (NREMT) examination as a condition of issuing initial licenses at the EMT and paramedic levels;

(2) Has a mechanism in place for receiving and investigating complaints about individuals;

(3) Notifies the commission, in compliance with the terms herein, of any adverse action or significant investigatory information regarding an individual;

(4) No later than five years after activation of the compact, requires a criminal background check of all applicants for initial licensure, including the use of the results of fingerprint or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation, with the exception of federal employees who have suitability determination in accordance with 731 CFR 202 and submit documentation of such as promulgated in the rules of the commission; and

(5) Complies with the rules of the commission.

334.1506. 1. Member states shall recognize the privilege to practice of an individual licensed in another member state that is in conformance with section 334.1503.

2. To exercise the privilege to practice under the terms and provisions of this compact, an individual shall:

(1) Be at least eighteen years of age;

(2) Possess a current unrestricted license in a member state as an EMT, AEMT, paramedic, or state-recognized and licensed level with a scope of practice and authority between EMT and paramedic; and

(3) Practice under the supervision of a medical director.

3. An individual providing patient care in a remote state under the privilege to practice shall function within the scope of practice authorized by the home state unless and until modified by an appropriate authority in the remote state, as may be defined in the rules of the commission.

4. Except as provided in subsection 3 of this section, an individual practicing in a remote state shall be subject to the remote state’s authority and laws. A remote state may, in accordance with due process and that state’s laws, restrict, suspend, or revoke an individual’s privilege to practice in the remote state and may take any other necessary actions to protect the health and safety of its citizens. If a remote state takes action, it shall promptly notify the home state and the commission.

5. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

6. If an individual's privilege to practice in any remote state is restricted, suspended, or revoked, the individual shall not be eligible to practice in any remote state until the individual's privilege to practice is restored.

334.1509. An individual may practice in a remote state under a privilege to practice only in the performance of the individual's EMS duties as assigned by an appropriate authority, as defined in the rules of the commission, and under the following circumstances:

(1) The individual originates a patient transport in a home state and transports the patient to a remote state;

(2) The individual originates in the home state and enters a remote state to pick up a patient and provides care and transport of the patient to the home state;

(3) The individual enters a remote state to provide patient care or transport within that remote state;

(4) The individual enters a remote state to pick up a patient and provides care and transport to a third member state; or

(5) Other conditions as determined by rules promulgated by the commission.

334.1512. Upon a member state's governor's declaration of a state of emergency or disaster that activates the Emergency Management Assistance Compact (EMAC), all relevant terms and provisions of EMAC shall apply, and to the extent any terms or provisions of this compact conflict with EMAC, the terms of EMAC shall prevail with respect to any individual practicing in the remote state in response to such declaration.

334.1515. 1. Member states shall consider a veteran, active military service member, or member of the National Guard and Reserves separating from an active duty tour, or a spouse thereof, who holds a current, valid, and unrestricted NREMT certification at or above the level of the state license being sought as satisfying the minimum training and examination requirements for such licensure.

2. Member states shall expedite the process of licensure applications submitted by veterans, active military service members, or members of the National Guard and Reserves separating from an active duty tour, or their spouses.

3. All individuals functioning with a privilege to practice under this section remain subject to the adverse action provisions of section 334.1518.

334.1518. 1. A home state shall have exclusive power to impose adverse action against an individual's license issued by the home state.

2. If an individual's license in any home state is restricted, suspended, or revoked, the individual shall not be eligible to practice in a remote state under the privilege to practice until the individual's home state license is restored.

(1) All home state adverse action orders shall include a statement that the individual's compact

privileges are inactive. The order may allow the individual to practice in remote states with prior written authorization from both the home state and the remote state's EMS authority.

(2) An individual currently subject to adverse action in the home state shall not practice in any remote state without prior written authorization from both the home state and remote state's EMS authority.

3. A member state shall report adverse actions and any occurrences that the individual's compact privileges are restricted, suspended, or revoked to the commission in accordance with the rules of the commission.

4. A remote state may take adverse action on an individual's privilege to practice within that state.

5. Any member state may take adverse action against an individual's privilege to practice in that state based on the factual findings of another member state, so long as each state follows its own procedures for imposing such adverse action.

6. A home state's EMS authority shall coordinate investigative activities, share information via the coordinated database, and take appropriate action with respect to reported conduct in a remote state as it would if such conduct had occurred within the home state. In such cases, the home state's law shall control in determining the appropriate adverse action.

7. Nothing in this compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action and that such participation shall remain nonpublic if required by the member state's laws. Member states shall require individuals who enter any alternative programs to agree not to practice in any other member state during the term of the alternative program without prior authorization from such other member state.

334.1521. A member state's EMS authority, in addition to any other powers granted under state law, is authorized under this compact to:

(1) Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses and the production of evidence. Subpoenas issued by a member state's EMS authority for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the remote state by any court of competent jurisdiction according to that court's practice and procedure in considering subpoenas issued in its own proceedings. The issuing state's EMS authority shall pay any witness fees, travel expenses, mileage, and other fees required by the service statutes of the state where the witnesses or evidence is located; and

(2) Issue cease and desist orders to restrict, suspend, or revoke an individual's privilege to practice in the state.

334.1524. 1. The compact states hereby create and establish a joint public agency known as the "Interstate Commission for EMS Personnel Practice".

(1) The commission is a body politic and an instrumentality of the compact states.

(2) Venue is proper and judicial proceedings by or against the commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the commission is located. The commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

(3) Nothing in this compact shall be construed to be a waiver of sovereign immunity.

2. Each member state shall have and be limited to one delegate. The responsible official of the state EMS authority or his or her designee shall be the delegate to this compact for each member state. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed. Any vacancy occurring in the commission shall be filled in accordance with the laws of the member state in which the vacancy exists. In the event that more than one board, office, or other agency with the legislative mandate to license EMS personnel at and above the level of EMT exists, the governor of the state will determine which entity will be responsible for assigning the delegate.

(1) Each delegate shall be entitled to one vote with regard to the promulgation of rules and creation of bylaws, and shall otherwise have an opportunity to participate in the business and affairs of the commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

(2) The commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

(3) All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in section 334.1530.

(4) The commission may convene in a closed, nonpublic meeting if the commission must discuss:

(a) Noncompliance of a member state with its obligations under the compact;

(b) The employment, compensation, discipline or other personnel matters, practices, or procedures related to specific employees, or other matters related to the commission's internal personnel practices and procedures;

(c) Current, threatened, or reasonably anticipated litigation;

(d) Negotiation of contracts for the purchase or sale of goods, services, or real estate;

(e) Accusing any person of a crime or formally censuring any person;

(f) Disclosure of trade secrets or commercial or financial information that is privileged or confidential;

(g) Disclosure of information of a personal nature if disclosure would constitute a clearly unwarranted invasion of personal privacy;

(h) Disclosure of investigatory records compiled for law enforcement purposes;

(i) Disclosure of information related to any investigatory reports prepared by or on behalf of or for use of the commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the compact; or

(j) Matters specifically exempted from disclosure by federal or member state statute.

(5) If a meeting or portion of a meeting is closed under this section, the commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting

provision. The commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken and the reasons therefor, including a description of the views expressed. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the commission or order of a court of competent jurisdiction.

3. The commission shall, by a majority vote of the delegates, prescribe bylaws and rules to govern its conduct as may be necessary or appropriate to carry out the purposes and exercise the powers of the compact including, but not limited to:

(1) Establishing the fiscal year of the commission;

(2) Providing reasonable standards and procedures:

(a) For the establishment and meetings of other committees; and

(b) Governing any general or specific delegation of any authority or function of the commission;

(3) Providing reasonable procedures for calling and conducting meetings of the commission, ensuring reasonable advance notice of all meetings, and providing an opportunity for attendance of such meetings by interested parties, with enumerated exceptions designed to protect the public's interest, the privacy of individuals, and proprietary information, including trade secrets. The commission may meet in closed session only after a majority of the membership votes to close a meeting in whole or in part. As soon as practicable, the commission shall make public a copy of the vote to close the meeting revealing the vote of each member with no proxy votes allowed;

(4) Establishing the titles, duties and authority, and reasonable procedures for the election of the officers of the commission;

(5) Providing reasonable standards and procedures for the establishment of the personnel policies and programs of the commission. Notwithstanding any civil service or other similar laws of any member state, the bylaws shall exclusively govern the personnel policies and programs of the commission;

(6) Promulgating a code of ethics to address permissible and prohibited activities of commission members and employees;

(7) Providing a mechanism for winding up the operations of the commission and the equitable disposition of any surplus funds that may exist after the termination of the compact after the payment or reserving of all of its debts and obligations;

(8) The commission shall publish its bylaws and file a copy thereof, and a copy of any amendment thereto, with the appropriate agency or officer in each of the member states, if any;

(9) The commission shall maintain its financial records in accordance with the bylaws; and

(10) The commission shall meet and take such actions as are consistent with the provisions of this compact and the bylaws.

4. The commission shall have the following powers:

(1) To promulgate uniform rules to facilitate and coordinate implementation and administration of this compact. The rules shall have the force and effect of law and shall be binding on all member states;

(2) To bring and prosecute legal proceedings or actions in the name of the commission; provided that, the standing of any state EMS authority or other regulatory body responsible for EMS personnel licensure to sue or be sued under applicable law shall not be affected;

(3) To purchase and maintain insurance and bonds;

(4) To borrow, accept, or contract for services of personnel including, but not limited to, employees of a member state;

(5) To hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the compact, and to establish the commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

(6) To accept any and all appropriate donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of the same; provided that, at all times the commission shall strive to avoid any appearance of impropriety and conflict of interest;

(7) To lease, purchase, accept appropriate gifts or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed; provided that, at all times the commission shall strive to avoid any appearance of impropriety;

(8) To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed;

(9) To establish a budget and make expenditures;

(10) To borrow money;

(11) To appoint committees, including advisory committees comprised of members, state regulators, state legislators or their representatives, consumer representatives, and such other interested persons as may be designated in this compact and the bylaws;

(12) To provide and receive information from, and to cooperate with, law enforcement agencies;

(13) To adopt and use an official seal; and

(14) To perform such other functions as may be necessary or appropriate to achieve the purposes of this compact consistent with the state regulation of EMS personnel licensure and practice.

5. (1) The commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

(2) The commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

(3) The commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the commission and its staff, which shall be in a total amount sufficient to cover its annual budget as approved each year

for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the commission, which shall promulgate a rule binding upon all member states.

(4) The commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the commission pledge the credit of any of the member states, except by and with the authority of the member state.

(5) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the commission.

6. (1) The members, officers, executive director, employees, and representatives of the commission shall be immune from suit and liability, either personally or in their official capacity, for any claim, damage to or loss of property, personal injury, or other civil liability caused by or arising out of any actual or alleged act, error, or omission that occurred or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, nothing in this subdivision shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional, willful, or wanton misconduct of that person.

(2) The commission shall defend any member, officer, executive director, employee, or representative of the commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional, willful, or wanton misconduct.

(3) The commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error, or omission that occurred within the scope of commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that, the actual or alleged act, error, or omission did not result from the intentional, willful, or wanton misconduct of the person.

334.1527. 1. The commission shall provide for the development and maintenance of a coordinated database and reporting system containing licensure, adverse action, and significant investigatory information on all licensed individuals in member states.

2. Notwithstanding any other provision of state law to the contrary, a member state shall submit a uniform data set to the coordinated database on all individuals to whom this compact is applicable as required by the rules of the commission, including:

- (1) Identifying information;**
- (2) Licensure data;**
- (3) Significant investigatory information;**
- (4) Adverse actions against an individual's license;**
- (5) An indicator that an individual's privilege to practice is restricted, suspended, or revoked;**
- (6) Nonconfidential information related to alternative program participation;**
- (7) Any denial of application for licensure and the reasons for such denial; and**
- (8) Other information that may facilitate the administration of this compact, as determined by the rules of the commission.**

3. The coordinated database administrator shall promptly notify all member states of any adverse action taken against, or significant investigative information on, any individual in a member state.

4. Member states contributing information to the coordinated database may designate information that shall not be shared with the public without the express permission of the contributing state.

5. Any information submitted to the coordinated database that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the coordinated database.

334.1530. 1. The commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted thereunder. Rules and amendments shall become binding as of the date specified in each rule or amendment.

2. If a majority of the legislatures of the member states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any member state.

3. Rules or amendments to the rules shall be adopted at a regular or special meeting of the commission.

4. Prior to promulgation and adoption of a final rule or rules by the commission, and at least sixty days in advance of the meeting at which the rule or rules will be considered and voted upon, the commission shall file a notice of proposed rulemaking:

- (1) On the website of the commission; and**
- (2) On the website of each member state's EMS authority or the publication in which each state would otherwise publish proposed rules.**

5. The notice of proposed rulemaking shall include:

- (1) The proposed time, date, and location of the meeting at which the rule will be considered and voted upon;**
- (2) The text of the proposed rule or amendment and the reason for the proposed rule;**
- (3) A request for comments on the proposed rule from any interested person; and**

(4) The manner in which interested parties may submit notice to the commission of their intention to attend the public hearing and any written comments.

6. Prior to adoption of a proposed rule, the commission shall allow persons to submit written data, facts, opinions, and arguments that shall be made available to the public.

7. The commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

- (1) At least twenty-five persons;**
- (2) A governmental subdivision or agency; or**
- (3) An association having at least twenty-five members.**

8. If a hearing is held on the proposed rule or amendment, the commission shall publish the place, time, and date of the scheduled public hearing.

(1) All persons wishing to be heard at the hearing shall notify the executive director of the commission or other designated member in writing of their desire to appear and testify at the hearing not less than five business days before the scheduled date of the hearing.

(2) Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

(3) No transcript of the hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall bear the cost of producing the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subdivision shall not preclude the commission from making a transcript or recording of the hearing if it so chooses.

(4) Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the commission at hearings required by this section.

9. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the commission shall consider all written and oral comments received.

10. The commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

11. If no written notice of intent to attend the public hearing by interested parties is received, the commission may proceed with promulgation of the proposed rule without a public hearing.

12. Upon determination that an emergency exists, the commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing; provided that, the usual rulemaking procedures provided in the compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that shall be adopted immediately in order to:

- (1) Meet an imminent threat to public health, safety, or welfare;**

(2) Prevent a loss of commission or member state funds;

(3) Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or

(4) Protect public health and safety.

13. The commission or an authorized committee of the commission may direct revisions to a previously adopted rule or amendment for purposes of correcting typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the commission. The revision shall be subject to challenge by any person for a period of thirty days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the commission.

334.1533. 1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law.

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceedings in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the commission.

3. The commission shall be entitled to receive service of process in any such proceeding and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the commission shall render a judgment or order void as to the commission, this compact, or promulgated rules.

4. If the commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact or the promulgated rules, the commission shall:

(1) Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default, or any other action to be taken by the commission; and

(2) Provide remedial training and specific technical assistance regarding the default.

5. If a state in default fails to cure the default, the defaulting state may be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

6. Termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

7. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

8. The commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the compact unless agreed upon in writing between the commission and the defaulting state.

9. The defaulting state may appeal the action of the commission by petitioning the United States District Court for the District of Columbia or the federal district where the commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

10. Upon a request by a member state, the commission shall attempt to resolve disputes related to the compact that arise among member states and between member and nonmember states.

11. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

12. The commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

13. By majority vote, the commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the commission has its principal offices against a member state in default to enforce compliance with the provisions of the compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

14. The remedies herein shall not be the exclusive remedies of the commission. The commission may pursue any other remedies available under federal or state law.

334.1536. 1. The compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the commission relating to assembly and the promulgation of rules. Thereafter, the commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the compact.

2. Any state that joins the compact subsequent to the commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the compact becomes law in that state. Any rule that has been previously adopted by the commission shall have the full force and effect of law on the day the compact becomes law in that state.

3. Any member state may withdraw from this compact by enacting a statute repealing the same.

(1) A member state's withdrawal shall not take effect until six months after enactment of the repealing statute.

(2) Withdrawal shall not affect the continuing requirement of the withdrawing state's EMS authority to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

4. Nothing contained in this compact shall be construed to invalidate or prevent any EMS personnel licensure agreement or other cooperative arrangement between a member state and a nonmember state that does not conflict with the provisions of this compact.

5. This compact may be amended by the member states. No amendment to this compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

334.1539. This compact shall be liberally construed so as to effectuate the purposes thereof. If this compact shall be held contrary to the constitution of any member state thereto, the compact shall remain in full force and effect as to the remaining member states. Nothing in this compact supersedes state law or rules related to licensure of EMS agencies.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS#2** for **SB 128**.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4 and House Amendment No. 4 as amended.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute No. 2 for Senate Bill No. 128, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“29.225. When requested by a prosecuting attorney or circuit attorney or law enforcement agency, the auditor or his or her authorized representatives may audit all or part of any political subdivision or other government entity as part of an investigation of improper government activities, including official misconduct, fraud, misappropriation, mismanagement, waste of resources, or a violation of state or federal law, rule, or regulation.

105.478. Any person guilty of knowingly violating any of the provisions of sections 105.450 to 105.498 shall be punished as follows:

(1) [For the first offense, such person is guilty of a] **The offense is a class B misdemeanor, unless the person has previously been found guilty of knowingly violating any of the provisions of sections 105.450 to 105.498, in which case such person shall be guilty of a class E felony;**

(2) [For the second and subsequent offenses] **For any offense involving more than seven hundred fifty dollars in value of any combination of goods or services, such person is guilty of a class E felony.**

210.845. 1. The provisions of any decree respecting support may be modified only upon a showing

of changed circumstances so substantial and continuing as to make the terms unreasonable. In a proceeding for modifications of any child support award, the court, in determining whether or not a substantial change in circumstances has occurred, shall consider all financial resources of both parties, including the extent to which the reasonable expenses of either party are, or should be, shared by a spouse or other person with whom he cohabits, and the earning capacity of a party who is not employed. If the application of the guidelines and criteria set forth in supreme court rule 88.01 to the financial circumstances of the parties would result in a change of child support from the existing amount by twenty percent or more, then a prima facie showing has been made of a change of circumstances so substantial and continuing as to make the present terms unreasonable.

2. When the party seeking modification has met the burden of proof set forth in subsection 1 of this section, the child support shall be determined in conformity with criteria set forth in supreme court rule 88.01.

3. A responsive pleading shall be filed in response to any motion to modify a child support or custody judgment.

252.069. Any agent of the conservation commission may enforce the provisions of sections 577.070 and 577.080 and arrest violators only upon the water, the banks thereof, or upon public land.

302.441. 1. If a person is required to have an ignition interlock device installed on such person's vehicle, he or she may apply to the court for an employment exemption variance to allow him or her to drive an employer-owned vehicle not equipped with an ignition interlock device for employment purposes only. Such exemption shall not be granted to a person who is self-employed or who wholly or partially owns **or controls** an entity that owns an employer-owned vehicle.

2. A person who is granted an employment exemption variance under subsection 1 of this section shall not drive, operate, or be in physical control of an employer-owned vehicle used for transporting children under eighteen years of age or vulnerable persons, as defined in section 630.005, or an employer-owned vehicle for personal use.

400.9-501. (a) Except as otherwise provided in subsection (b), if the local law of this state governs perfection of a security interest or agricultural lien, the office in which to file a financing statement to perfect the security interest or agricultural lien is:

(1) The office designated for the filing or recording of a record of a mortgage on the related real property, if:

(A) The collateral is as-extracted collateral or timber to be cut; or

(B) The financing statement is filed as a fixture filing and the collateral is goods that are or are to become fixtures; or

(2) The office of the secretary of state in all other cases, including a case in which the collateral is goods that are or are to become fixtures and the financing statement is not filed as a fixture filing.

(b) The office in which to file a financing statement to perfect a security interest in collateral, including fixtures, of a transmitting utility is the office of the secretary of state. The financing statement also constitutes a fixture filing as to the collateral indicated in the financing statement which is or is to

become fixtures.

[(c) A person shall not knowingly or intentionally file, attempt to file, or record any document related to real property with a recorder of deeds under chapter 59 or a financing statement with the secretary of state under subdivision (2) of subsection (a) or subsection (b) of this section, with the intent that such document or statement be used to harass or defraud any other person or knowingly or intentionally file, attempt to file, or record such a document or statement that is materially false or fraudulent.

(1) A person who violates this subsection shall be guilty of a class E felony.

(2) If a person is convicted of a violation under this subsection, the court may order restitution.

(d) In the alternative to the provisions of sections 428.105 through 428.135, if a person files a false or fraudulent financing statement with the secretary of state under subdivision (2) of subsection (a) or subsection (b) of this section, a debtor named in that financing statement may file an action against the person that filed the financing statement seeking appropriate equitable relief, actual damages, or punitive damages, including, but not limited to, reasonable attorney fees.]

452.370. 1. Except as otherwise provided in subsection 6 of section 452.325, the provisions of any judgment respecting maintenance or support may be modified only upon a showing of changed circumstances so substantial and continuing as to make the terms unreasonable. **A responsive pleading shall be filed in response to any motion to modify a child support or maintenance judgment.** In a proceeding for modification of any child support or maintenance judgment, the court, in determining whether or not a substantial change in circumstances has occurred, shall consider all financial resources of both parties, including the extent to which the reasonable expenses of either party are, or should be, shared by a spouse or other person with whom he or she cohabits, and the earning capacity of a party who is not employed. If the application of the child support guidelines and criteria set forth in section 452.340 and applicable supreme court rules to the financial circumstances of the parties would result in a change of child support from the existing amount by twenty percent or more, a prima facie showing has been made of a change of circumstances so substantial and continuing as to make the present terms unreasonable, if the existing amount was based upon the presumed amount pursuant to the child support guidelines.

2. When the party seeking modification has met the burden of proof set forth in subsection 1 of this section, the child support shall be determined in conformity with criteria set forth in section 452.340 and applicable supreme court rules.

3. Unless otherwise agreed in writing or expressly provided in the judgment, the obligation to pay future statutory maintenance is terminated upon the death of either party or the remarriage of the party receiving maintenance.

4. Unless otherwise agreed in writing or expressly provided in the judgment, provisions for the support of a child are terminated by emancipation of the child. The parent entitled to receive child support shall have the duty to notify the parent obligated to pay support of the child's emancipation and failing to do so, the parent entitled to receive child support shall be liable to the parent obligated to pay support for child support paid following emancipation of a minor child, plus interest.

5. If a parent has made an assignment of support rights to the family support division on behalf of

the state as a condition of eligibility for benefits pursuant to the Temporary Assistance for Needy Families program and either party initiates a motion to modify the support obligation by reducing it, the state of Missouri shall be named as a party to the proceeding. The state shall be served with a copy of the motion by sending it by certified mail to the director of the family support division.

6. The court shall have continuing personal jurisdiction over both the obligee and the obligor of a court order for child support or maintenance for the purpose of modifying such order. Both obligee and obligor shall notify, in writing, the clerk of the court in which the support or maintenance order was entered of any change of mailing address. If personal service of the motion cannot be had in this state, the motion to modify and notice of hearing shall be served outside the state as provided by supreme court rule 54.14. The order may be modified only as to support or maintenance installments which accrued subsequent to the date of personal service. For the purpose of 42 U.S.C. Section 666(a)(9)(C), the circuit clerk shall be considered the appropriate agent to receive notice of the motion to modify for the obligee or the obligor, but only in those instances in which personal service could not be had in this state.

7. If a responsive pleading raising the issues of custody or visitation is filed in response to a motion to modify child support filed at the request of the family support division by a prosecuting attorney or circuit attorney or an attorney under contract with the division, such responsive pleading shall be severed upon request.

8. Notwithstanding any provision of this section which requires a showing of substantial and continuing change in circumstances, in a IV-D case filed pursuant to this section by the family support division as provided in section 454.400, the court shall modify a support order in accordance with the guidelines and criteria set forth in supreme court rule 88.01 and any regulations thereunder if the amount in the current order differs from the amount which would be ordered in accordance with such guidelines or regulations.

452.747. 1. Any petition for modification of child custody decrees filed under the provisions of section 452.410 or sections 452.700 to 452.930 shall be verified and, if the original proceeding originated in the state of Missouri, shall be filed in that original case, but service shall be obtained and responsive pleadings [may] **shall** be filed as in any original proceeding.

2. Before making a decree under section 452.410 or sections 452.700 to 452.930, the litigants, any parent whose parental rights have not been previously terminated, and any person who has physical custody of the child shall be served in the manner provided by the rules of civil procedure and applicable court rules and [may] **shall** within thirty days after the date of service (forty-five days if service by publication) file a verified answer. If any such persons are outside this state, notice and opportunity to be heard shall be given under section 452.740.

454.500. 1. At any time after the entry of an order pursuant to sections 454.470 and 454.475, the obligated parent, the division, or the person or agency having custody of the dependent child may file a motion for modification with the director. Such motion shall be in writing, shall set forth the reasons for modification, and shall state the address of the moving party. The motion shall be served by the moving party in the manner provided for in subsection 5 of section 454.465 upon the obligated parent or the party holding the support rights, as appropriate. In addition, if the support rights are held by the family support division on behalf of the state, a true copy of the motion shall be mailed by the moving party by

certified mail to the person having custody of the dependent child at the last known address of that person. **The obligated parent or the party holding the support rights shall file a pleading in response to the motion to modify.** A hearing on the motion shall then be provided in the same manner, and determinations shall be based on considerations set out in section 454.475, unless the party served fails to respond within thirty days, in which case the director may enter an order by default. If the child for whom the order applies is no longer in the custody of a person receiving public assistance or receiving support enforcement services from the department, or a division thereof, pursuant to section 454.425, the director may certify the matter for hearing to the circuit court in which the order was filed pursuant to section 454.490 in lieu of holding a hearing pursuant to section 454.475. If the director certifies the matter for hearing to the circuit court, service of the motion to modify shall be had in accordance with the provisions of subsection 5 of section 452.370. If the director does not certify the matter for hearing to the circuit court, service of the motion to modify shall be considered complete upon personal service, or on the date of mailing, if sent by certified mail. For the purpose of 42 U.S.C. Section 666(a)(9)(C), the director shall be considered the appropriate agent to receive the notice of the motion to modify for the obligee or the obligor, but only in those instances in which the matter is not certified to circuit court for hearing, and only when service of the motion is attempted on the obligee or obligor by certified mail.

2. A motion for modification made pursuant to this section shall not stay the director from enforcing and collecting upon the existing order pending the modification proceeding unless so ordered by the court.

3. Only payments accruing subsequent to the service of the motion for modification upon all named parties to the motion may be modified. Modification may be granted only upon a showing of a change of circumstances so substantial and continuing as to make the terms unreasonable. In a proceeding for modification of any child support award, the director, in determining whether or not a substantial change in circumstances has occurred, shall consider all financial resources of both parties, including the extent to which the reasonable expenses of either party are, or should be, shared by a spouse or other person with whom he or she cohabits, and the earning capacity of a party who is not employed. If the application of the guidelines and criteria set forth in supreme court rule 88.01 to the financial circumstances of the parties would result in a change of child support from the existing amount by twenty percent or more, then a prima facie showing has been made of a change of circumstances so substantial and continuing as to make the present terms unreasonable.

4. If the division has entered an order under section 454.470 or 454.500, and an additional child or children not the subject of the order are born to the parties, the division may, following the filing of a motion to modify, service of process, and opportunity for a hearing pursuant to this section, modify the underlying child support order to include a single child support obligation for all children of the parties in conformity with the criteria set forth in supreme court rule 88.01.

5. The circuit court may, upon such terms as may be just, relieve a parent from an administrative order entered against that parent because of mistake, inadvertence, surprise, or excusable neglect.

6. No order entered pursuant to section 454.476 shall be modifiable pursuant to this section, except that an order entered pursuant to section 454.476 shall be amended by the director to conform with any modification made by the court that entered the court order upon which the director based his or her order.

7. When the party seeking modifications has met the burden of proof set forth in subsection 3 of this section, then the child support shall be determined in conformity with the criteria set forth in supreme court rule 88.01.

8. The last four digits of the Social Security number of the parents shall be recorded on any order entered pursuant to this section. The full Social Security number of each party and each child shall be retained in the manner required by section 509.520.

456.4-414. 1. After notice to the qualified beneficiaries, the trustee of a trust consisting of trust property having a total value less than [one hundred thousand] **two hundred fifty thousand** dollars may terminate the trust if the trustee concludes that the value of the trust property is insufficient to justify the cost of administration.

2. The court may modify or terminate a trust or remove the trustee and appoint a different trustee if it determines that the value of the trust property is insufficient to justify the cost of administration.

3. Upon termination of a trust under this section, the trustee shall distribute the trust property in a manner consistent with the purposes of the trust.

4. This section does not apply to an easement for conservation or preservation.

456.4-420. 1. If a trust instrument containing a no-contest clause is or has become irrevocable, an interested person may file a petition to the court for an interlocutory determination whether a particular motion, petition, or other claim for relief by the interested person would trigger application of the no-contest clause or would otherwise trigger a forfeiture that is enforceable under applicable law and public policy.

2. The petition described in subsection 1 of this section shall be verified under oath. The petition may be filed by an interested person either as a separate judicial proceeding, or brought with other claims for relief in a single judicial proceeding, all in the manner prescribed generally for such proceedings under this chapter. If a petition is joined with other claims for relief, the court shall enter its order or judgment on the petition before proceeding any further with any other claim for relief joined therein. In ruling on such a petition, the court shall consider the text of the clause, the context to the terms of the trust instrument as a whole, and in the context of the verified factual allegations in the petition. No evidence beyond the pleadings and the trust instrument shall be taken except as required to resolve an ambiguity in the no-contest clause.

3. An order or judgment determining a petition described in subsection 1 of this section shall have the effect set forth in subsections 4 and 5 of this section, and shall be subject to appeal as with other final judgments. If the order disposes of fewer than all claims for relief in a judicial proceeding, that order is subject to interlocutory appeal in accordance with the applicable rules for taking such an appeal. If an interlocutory appeal is taken, the court may stay the pending judicial proceeding until final disposition of said appeal on such terms and conditions as the court deems reasonable and proper under the circumstances. A final ruling on the applicability of a no-contest clause shall not preclude any later filing and adjudication of other claims related to the trust.

4. An order or judgment, in whole or in part, on a petition described in subsection 1 of this section shall result in the no-contest clause being enforceable to the extent of the court's ruling, and shall govern application of the no-contest clause to the extent that the interested person then proceeds forward

with the claims described therein. In the event such an interlocutory order or judgment is vacated, reversed, or otherwise modified on appeal, no interested person shall be prejudiced by any reliance, through action, inaction, or otherwise, on the order or judgment prior to final disposition of the appeal.

5. An order or judgment shall have effect only as to the specific trust terms and factual basis recited in the petition. If claims are later filed that are materially different than those upon which the order or judgment is based, then to the extent such new claims are raised, the party in whose favor the order or judgment was entered shall have no protection from enforcement of the no-contest clause otherwise afforded by the order and judgment entered under this section.

6. For purposes of this section, a “no-contest clause” shall mean a provision in a trust instrument purporting to rescind a donative transfer to, or a fiduciary appointment of, any person, or that otherwise effects a forfeiture of some or all of an interested person’s beneficial interest in a trust estate as a result of some action taken by the beneficiary. This definition shall not be construed in any way as determining whether a no-contest clause is enforceable under applicable law and public policy in a particular factual situation. As used in this section, the term “no-contest clause” shall also mean an “in terrorem clause”.

7. A no-contest clause is not enforceable against an interested person in, but not limited to, the following circumstances:

(1) Filing a motion, petition, or other claim for relief objecting to the jurisdiction or venue of the court over a proceeding concerning a trust, or over any person joined, or attempted to be joined, in such a proceeding;

(2) Filing a motion, petition, or other claim for relief concerning an accounting, report, or notice that has or should have been made by a trustee, provided the interested person otherwise has standing to do so under applicable law, including, but not limited to, section 456.6-603;

(3) Filing a motion, petition, or other claim for relief under chapter 475 concerning the appointment of a guardian or conservator for the settlor;

(4) Filing a motion, petition, or other claim for relief under chapter 404 concerning the settlor;

(5) Disclosure to any person of information concerning a trust instrument or that is relevant to a proceeding before the court concerning the trust instrument or property of the trust estate, unless such disclosure is otherwise prohibited by law;

(6) Filing a motion, pleading, or other claim for relief seeking approval of a nonjudicial settlement agreement concerning a trust instrument, as set forth in section 456.1-111;

(7) Filing a motion, pleading, or other claim for relief concerning a breach of trust by a trustee including, but not limited to, a claim under section 456.10-1001. For purposes of this subdivision, “breach of trust” means a trustee’s violation of the terms of a trust instrument, a violation of the trustee’s general fiduciary obligations, or a trustee’s violation of a duty that equity imposes on a trustee;

(8) Filing a motion, pleading, or other claim for relief concerning removal of a trustee including, but not limited to, a claim for removal under section 456.7-706;

(9) To the extent a petition under subsection 1 of this section is limited to the procedure and purpose

described therein.

8. In any proceeding brought under this section, the court may award costs, expenses, and attorneys' fees to any party, as provided in section 456.10-1004.

472.400. Sections 472.400 to 472.490 shall be known and may be cited as the “Missouri Fiduciary Access to Digital Assets Act”.

472.405. As used in sections 472.400 to 472.490, the following terms mean:

(1) “Access”, includes view, marshal, manage, copy, distribute, or delete;

(2) “Account”, an arrangement under a terms-of-service agreement in which a custodian carries, maintains, processes, receives, or stores a digital asset of the user or provides goods or services to the user;

(3) “Agent”, an attorney-in-fact granted authority under a durable or nondurable power of attorney;

(4) “Carries”, engages in the transmission of electronic communications;

(5) “Catalogue of electronic communications”, information that identifies each person with which a user has had an electronic communication, the time and date of the communication, and the electronic address of the person;

(6) “Conservator”, a person appointed by a court to have the care and custody of the estate of a minor or a disabled person. A “limited conservator” is one whose duties or powers are limited. The term “conservator”, as used in sections 472.400 to 472.490, includes limited conservator unless otherwise specified or apparent from the context;

(7) “Content of an electronic communication”, information concerning the substance or meaning of the communication which:

(a) Has been sent or received by a user;

(b) Is in electronic storage by a custodian providing an electronic-communication service to the public or is carried or maintained by a custodian providing a remote-computing service to the public; and

(c) Is not readily accessible to the public;

(8) “Court”, any court with competent jurisdiction within this state;

(9) “Custodian”, a person that carries, maintains, processes, receives, or stores a digital asset of a user;

(10) “Designated recipient”, a person chosen by a user using an online tool to administer digital assets of the user;

(11) “Digital asset”, an electronic record in which an individual has a right or interest. The term does not include an underlying asset or liability unless the asset or liability is itself an electronic record;

(12) “Electronic”, relating to technology having electrical, digital, magnetic, wireless, optical,

electromagnetic, or similar capabilities;

(13) “Electronic communication”, has the same meaning as set forth in 18 U.S.C. Section 2510(12), as amended;

(14) “Electronic communication service”, a custodian that provides to a user the ability to send or receive an electronic communication;

(15) “Fiduciary”, an original, additional, or successor personal representative, conservator, agency, or trustee;

(16) “Information”, data, text, images, videos, sounds codes, computer programs, software, databases, or the like;

(17) “Online tool”, an electronic service provided by a custodian that allows the user, in an agreement distinct from the terms-of-service agreement between the custodian and user, to provide directions for disclosure or nondisclosure of digital assets to a third person;

(18) “Person”, an individual, estate, trust, business or nonprofit entity, public corporation, government or governmental subdivision, agency, instrumentality, or other legal entity;

(19) “Personal representative”, executor or administrator, including an administrator with the will annexed, an administrator de bonis non, an administrator pending contest, an administrator during minority or absence, and any other type of administrator of the estate of a decedent whose appointment is permitted, or any person who performs substantially the same function under the law of Missouri, including without limitation an affiant who has filed a small estate affidavit under section 473.097. It does not include an executor de son tort;

(20) “Power of attorney”, a record that grants an agent authority to act in the place of a principal;

(21) “Principal”, an individual who grants authority to an agent in a power of attorney;

(22) “Protected person”, an individual for whom a conservator has been appointed, including a protectee, a disabled person, and an individual for whom an application for the appointment of a conservator is pending;

(23) “Record”, information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(24) “Remote computing service”, a custodian that provides to a user computer processing services or the storage of digital assets by means of an electronic communications system, as defined in 18 U.S.C. Section 2510(14), as amended;

(25) “Terms-of-service agreement”, an agreement that controls the relationship between a user and a custodian;

(26) “Trustee”, a fiduciary with legal title to property pursuant to an agreement or declaration that creates a beneficial interest in another, including an original, additional, and successor trustee, and a co-trustee;

(27) “User”, a person that has an account with a custodian;

(28) “Will”, includes a testamentary instrument, a codicil, a testamentary instrument that only appoints an executor, and instrument that revokes or revises a testamentary instrument.

472.410. 1. Sections 472.400 to 472.490 shall apply to:

(1) A fiduciary or agent acting under a will or power of attorney executed before, on, or after the effective date of sections 472.400 to 472.490;

(2) A personal representative acting for a decedent who dies before, on, or after the effective date of sections 472.400 to 472.490;

(3) A conservatorship proceeding commenced before, on, or after the effective date of sections 472.400 to 472.490; and

(4) A trustee acting under a trust created before, on, or after the effective date of sections 472.400 to 472.490.

2. Sections 472.400 to 472.490 shall apply to a custodian if the user resides in this state or resided in this state at the time of the user’s death.

3. Sections 472.400 to 472.490 shall not apply to a digital asset of an employer used by an employee in the ordinary course of the employer’s business.

472.415. 1. A user may use an online tool to direct the custodian to disclose to a designated recipient or not to disclose some or all of the user’s digital assets, including the content of electronic communications. If the online tool allows the user to modify or delete a direction at all times, a direction regarding disclosure using an online tool overrides a contrary direction by the user in a will, trust, power of attorney, or other record.

2. If a user has not used an online tool to give direction under subsection 1 of this section or if the custodian has not provided an online tool, the user may allow or prohibit in a will, trust, power of attorney, or other record, disclosure to a fiduciary of some or all of the user’s digital assets, including the content of electronic communications sent or received by the user.

3. A user’s direction under subsection 1 or 2 of this section overrides a contrary provision in a terms-of-service agreement that does not require the user to act affirmatively and distinctly from the user’s assent to the terms-of-service.

472.420. 1. Sections 472.400 to 472.490 shall not change or impair a right of a custodian or a user under a terms-of-service agreement to access and use digital assets of the user.

2. Sections 472.400 to 472.490 shall not give a fiduciary or a designated recipient any new or expanded rights other than those held by the user for whom, or for whose estate, the fiduciary or designated recipient acts or represents.

3. A fiduciary’s or a designated recipient’s access to digital assets may be modified or eliminated by a user, by federal law, or by a terms-of-service agreement if the user has not provided direction under section 472.415.

472.425. 1. When disclosing digital assets of a user under sections 472.400 to 472.490 the custodian may at its sole discretion:

(1) Grant a fiduciary or designated recipient full access to the user's account;

(2) Grant a fiduciary or designated recipient partial access to the user's account sufficient to perform the tasks with which the fiduciary or designated recipient is charged; or

(3) Provide a fiduciary or designated recipient a copy in a record of any digital asset that, on the date the custodian received the request for disclosure, the user could have accessed if the user were alive and had full capacity and access to the account.

2. A custodian may assess a reasonable administrative charge for the cost of disclosing digital assets under sections 472.400 to 472.490.

3. A custodian shall not disclose under sections 472.400 to 472.490 a digital asset deleted by a user.

4. If a user directs or a fiduciary requests a custodian to disclose under sections 472.400 to 472.490 some, but not all, of the user's digital assets, the custodian need not disclose the assets if segregation of the assets would impose an undue burden on the custodian. If the custodian believes the direction or request imposes an undue burden, the custodian or fiduciary may seek an order from the court to disclose:

(1) A subset limited by date of the user's digital assets;

(2) All of the user's digital assets to the fiduciary or designated recipient;

(3) None of the user's digital assets; or

(4) All of the user's digital assets to the court for review in camera.

472.430. If a deceased user consented or a court directs disclosure of the contents of electronic communications of the user, the custodian shall disclose to the personal representative of the estate of the user the content of an electronic communication sent or received by the user if the representative gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the death certificate of the user;

(3) A certified copy of the letters testamentary or letters of administration of the representative or a certified copy of the certificate of clerk in connection with a small estate affidavit or court order;

(4) Unless the user provided direction using an online tool, then in the case of user consent to disclosure, a copy of the user's will, trust, power of attorney, or other record evidencing the user's consent to disclosure of the content of electronic communications; and

(5) If requested by the custodian for the purpose of identifying the correct account of the user:

(a) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(b) Evidence linking the account to the user; or

(c) A finding by the court that:

a. The user had a specific account with the custodian, identifiable by the information specified in paragraph (a) of this subdivision;

b. Disclosure of the content of electronic communications of the user would not violate 18 U.S.C. Section 2701 et seq., as amended, 47 U.S.C. Section 222, as amended, or other applicable law;

c. Unless the user provided direction using an online tool, the user consented to disclosure of the content of electronic communications; or

d. Disclosure of the content of electronic communications of the user is reasonably necessary for administration of the estate.

472.435. Unless the user prohibited disclosure of digital assets or the court directs otherwise, a custodian shall disclose to the personal representative of the estate of a deceased user a catalogue of electronic communications sent or received by the user and digital assets, other than the content of electronic communications, of the user, if the representative gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the death certificate of the user;

(3) A certified copy of the letters testamentary or letters of administration of the representative or a certified copy of certificate of clerk in connection with a small-estate affidavit or court order; and

(4) If requested by the custodian for the purpose of identifying the correct account of the correct user:

(a) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(b) Evidence linking the account to the user;

(c) An affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or

(d) A finding by the court that:

a. The user had a specific account with the custodian, identifiable by the information specified in paragraph (a) of this subdivision; or

b. Disclosure of the user's digital assets is reasonably necessary for administration of the estate.

472.440. To the extent a power of attorney expressly grants an agent authority over the content of an electronic communications sent or received by the principal and unless directed otherwise by the principal or the court, a custodian shall disclose to the agent the content if the agent gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) An original or copy of the power of attorney expressly granting the agent authority over

the content of electronic communications of the principal;

(3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(4) If requested by the custodian for the purpose of identifying the correct account of the correct user:

(a) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(b) Evidence linking the account to the principal.

472.445. Unless otherwise ordered by the court, directed by the principal, or provided by a power of attorney, a custodian shall disclose to an agent with specific authority over digital assets or general authority to act on behalf of a principal a catalogue of electronic communications sent or received by the principal and digital assets, other than the content of electronic communications, of the principal if the agent gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) An original or a copy of the power of attorney that gives the agent specific authority over digital assets or general authority to act on behalf of the principal;

(3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(4) If requested by the custodian for the purpose of identifying the correct account of the correct user:

(a) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(b) Evidence linking the account to the principal.

472.450. Unless otherwise ordered by the court or provided in a trust, a custodian shall disclose to a trustee that is an original user of an account any digital asset of the account held in trust, including a catalogue of electronic communications of the trustee and the content of the electronic communications.

472.455. Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose to a trustee that is not an original user of an account the content of an electronic communication sent or received by an original or successor user and carried, maintained, processed, received, or stored by the custodian in the account of the trust if the trustee gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the trust instrument or a certification of the trust under section 456.10-1013 that includes consent to disclosure of the content of electronic communications to the trustee;

(3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and

(4) If requested by the custodian for the purpose of identifying the correct account of the correct user:

(a) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or

(b) Evidence linking the account to the trust.

472.460. Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose, to a trustee that is not an original user of an account, a catalogue of electronic communications sent or received by an original or successor user and stored, carried, or maintained by the custodian in an account of the trust and any digital assets, other than the content of electronic communications, in which the trust has a right or interest if the trustee gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the trust instrument or a certification of the trust under section 456.10-1013;

(3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and

(4) If requested by the custodian for the purpose of identifying the correct account of the correct user:

(a) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or

(b) Evidence linking the account to the trust.

472.465. 1. After an opportunity for a hearing under Missouri conservatorship law, the court may grant a conservator access to the digital assets of a protected person.

2. Unless otherwise ordered by the court or directed by the user, a custodian shall disclose to a conservator the catalogue of electronic communications sent or received by a protected person and any digital assets, other than the content of electronic communications, in which the protected person has a right or interest if the conservator gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the court order that gives the conservator authority over the digital assets of the protected person; and

(3) If requested by the custodian for the purpose of identifying the correct account of the correct user:

(a) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the account of the protected person; or

(b) Evidence linking the account to the protected person.

3. A conservator with general authority to manage the assets of a protected person may

request a custodian of the digital assets of the protected person to suspend or terminate an account of the protected person for good cause. A request made under this subsection shall be accompanied by a certified copy of the court order giving the conservator authority over the protected person's property.

472.470. 1. The legal duties imposed on a fiduciary charged with managing tangible property apply to the management of digital assets, including:

- (1) The duty of care;**
- (2) The duty of loyalty; and**
- (3) The duty of confidentiality.**

2. A fiduciary's or designated recipient's authority with respect to a digital asset of a user:

- (1) Except as otherwise provided in section 472.415, is subject to the applicable terms-of-service agreement;**
- (2) Is subject to other applicable law, including copyright law;**
- (3) In the case of a fiduciary, is limited by the scope of the fiduciary's duties; and**
- (4) May not be used to impersonate the user.**

3. A fiduciary with authority over the property of a decedent, protected person, principal, or settlor has the right to access any digital asset in which the decedent, protected person, principal, or settlor had a right or interest and that is not held by a custodian or subject to a terms-of-service agreement.

4. A fiduciary acting within the scope of the fiduciary's duties is an authorized user of the property of the decedent, protected person, principal, or settlor for the purpose of applicable computer-fraud and unauthorized-computer-access laws, including Missouri law on unauthorized computer access.

5. A fiduciary with authority over the tangible, personal property of a decedent, protected person, principal, or settlor:

- (1) Has the right to access the property and any digital asset stored in it; and**
- (2) Is an authorized user for the purpose of computer-fraud and unauthorized-computer-access laws, including Missouri law on unauthorized computer access.**

6. A custodian may disclose information in an account to a fiduciary of the user when the information is required to terminate an account used to access digital assets licensed to the user.

7. A fiduciary of a user may request a custodian to terminate the user's account. A request for termination shall be in writing, in either physical or electronic form, and accompanied by:

- (1) If the user is deceased, a certified copy of the death certificate of the user;**
- (2) A certified copy of the letter of testamentary or letters of administration of the representative or a certified copy of the certificate of clerk in connection with a small-estate affidavit or court order, power of attorney, or trust giving the fiduciary authority over the**

account; and

(3) If requested by the custodian for the purpose of identifying the correct account of the correct user:

(a) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(b) Evidence linking the account to the user; or

(c) A finding by the court that the user had a specific account with the custodian, identifiable by the information specified in paragraph (a) of this subdivision.

472.475. 1. Not later than sixty days after receipt of the information required under sections 472.430 to 472.470, a custodian shall comply with a request under sections 472.400 to 472.490 from a fiduciary or designated recipient to disclose digital assets or terminate an account. If the custodian fails to comply, the fiduciary or designated recipient may apply to the court for an order directing compliance.

2. An order under subsection 1 of this section directing compliance shall contain a finding that compliance is not in violation of 18 U.S.C. Section 2702, as amended.

3. A custodian may notify the user that a request for disclosure or to terminate an account was made under sections 472.400 to 472.490.

4. A custodian may deny a request under sections 472.400 to 472.490 from a fiduciary or designated recipient for disclosure of digital assets or to terminate an account if the custodian is aware of any lawful access to the account following the receipt of the fiduciary's request.

5. Sections 472.400 to 472.490 do not limit a custodian's ability to obtain or require a fiduciary or designated recipient requesting disclosure or termination under such sections to obtain a court order which:

(1) Specifies that an account belongs to the protected person or principal;

(2) Specifies that there is sufficient consent from the protected person or principal to support the requested disclosure; and

(3) Contains a finding required by law other than as provided under sections 472.400 to 472.490.

6. A custodian and its officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with sections 472.400 to 472.490.

472.480. In applying and construing sections 472.400 to 472.490, consideration may be given to the need to promote uniformity of the law with respect to its subject matter among states that enact similar provisions.

472.485. Sections 472.400 to 472.490 modify, limit, or supersede the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., but do not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Section 7003(b).

472.490. If any provision of sections 472.400 to 472.490 or the application of such sections to any person or circumstance is held invalid, the invalidity does not affect other provisions or application of sections 472.400 to 472.490 which can be given effect without the invalid provision or application, and to this end the provisions of sections 472.400 to 472.490 are severable.

475.084. If a guardian has been appointed for a minor under the provisions of subdivision (2) of subsection 4 of section 475.030, then a parent of the minor may petition the court for periods of visitation. The court may order visitation if visitation is in the best interest of the child.”; and

Further amend said bill and page, Section 478.463, Line 9, by inserting immediately after said section and line the following:

“479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality. The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person’s seventy-fifth birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to

practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.

9. No municipal judge shall serve as a municipal judge in more than five municipalities at one time. **A court that serves more than one municipality shall be treated as a single municipality for purposes of this subsection.**

479.170. 1. If, in the progress of any trial before a municipal judge, it shall appear to the judge that the accused ought to be put upon trial for an offense against the criminal laws of the state and not cognizable before him as municipal judge, he shall immediately stop all further proceedings before him as municipal judge and cause the complaint to be made before some associate circuit judge within the county.

2. For purposes of this section, any offense involving the operation of a motor vehicle in an intoxicated condition as defined in section 577.001 shall not be cognizable in municipal court, if the defendant has been convicted, found guilty, or pled guilty to two or more previous intoxication-related traffic offenses as defined in section [577.023] **577.001**, or has had two or more previous alcohol-related enforcement contacts as defined in section 302.525.

488.029. There shall be assessed and collected a surcharge of one hundred fifty dollars in all criminal cases for any violation of chapter 195 **or chapter 579** in which a crime laboratory makes analysis of a controlled substance, but no such surcharge shall be assessed when the costs are waived or are to be paid by the state or when a criminal proceeding or the defendant has been dismissed by the court. The moneys collected by clerks of the courts pursuant to the provisions of this section shall be collected and disbursed as provided by sections 488.010 to 488.020. All such moneys shall be payable to the director of revenue, who shall deposit all amounts collected pursuant to this section to the credit of the state forensic laboratory account to be administered by the department of public safety pursuant to section 650.105.

488.2206. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within [the thirty-first judicial circuit] **any judicial circuit composed of a single noncharter county** in all **civil and** criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance, or resolution by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized by order, ordinance, or resolution by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by sections 488.010 to 488.020, and shall be payable to the treasurer of the political

subdivision authorizing such surcharge, **who shall deposit the funds in a separate account known as the “justice center fund”, to be established and maintained by the political subdivision.**

2. Each county or municipality shall use all funds received pursuant to this section only to pay for the costs associated with the land assemblage and purchase, **planning**, construction, maintenance, and operation of any county or municipal judicial facility **or justice center** including, but not limited to, **architectural, engineering, and other plans and studies**, debt service, utilities, maintenance, and building security. The county or municipality shall maintain records identifying [such operating costs, and any moneys not needed for the operating costs of the county or municipal judicial facility shall be transmitted quarterly to the general revenue fund of the county or municipality respectively] **all funds received and expenditures made from their respective center funds.**

488.2250. 1. For all appeal transcripts of testimony given [or proceedings in any circuit court], the court reporter shall receive the sum of three dollars and fifty cents per legal page for the preparation of a paper and an electronic version of the transcript.

2. In criminal cases where an appeal is taken by the defendant and it appears to the satisfaction of the court that the defendant is unable to pay the costs of the transcript for the purpose of perfecting the appeal, the court reporter shall receive a fee of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

3. Any judge, in his or her discretion, may order a transcript of all or any part of the evidence or oral proceedings and the court reporter shall receive the sum of two dollars and sixty cents per legal page for the preparation of a paper and an electronic version of the transcript.

4. For purposes of this section, a legal page, other than the first page and the final page of the transcript, shall be twenty-five lines, approximately eight and one-half inches by eleven inches in size, with the left-hand margin of approximately one and one-half inches, and with the right-hand margin of approximately one-half inch.

5. Notwithstanding any law to the contrary, the payment of court reporter’s fees provided in subsections 2 and 3 of this section shall be made by the state upon a voucher approved by the court. The cost to prepare all other transcripts of testimony or proceedings shall be borne by the party requesting their preparation and production, who shall reimburse the court reporter [the sum provided in subsection 1 of this section].

488.5050. 1. In addition to any other surcharges authorized by statute, the clerk of each court of this state shall collect the surcharges provided for in subsection 2 of this section.

2. A surcharge of thirty dollars shall be assessed as costs in each circuit court proceeding filed within this state in all criminal cases in which the defendant is found guilty of a felony, except when the defendant is found guilty of a class B felony, class A felony, or an unclassified felony, under chapter 195 **or chapter 579**, in which case, the surcharge shall be sixty dollars. A surcharge of fifteen dollars shall be assessed as costs in each court proceeding filed within this state in all other criminal cases, except for traffic violation cases in which the defendant is found guilty of a misdemeanor.

3. Notwithstanding any other provisions of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable to the state treasurer.

4. The state treasurer shall deposit such moneys or other gifts, grants, or moneys received on a monthly basis into the “DNA Profiling Analysis Fund”, which is hereby created in the state treasury. The fund shall be administered by the department of public safety. The moneys deposited into the DNA profiling analysis fund shall be used only by the highway patrol crime lab to fulfill the purposes of the DNA profiling system pursuant to section 650.052. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

5. The provisions of subsections 1 and 2 of this section shall expire on August 28, 2019.

513.430. 1. The following property shall be exempt from attachment and execution to the extent of any person’s interest therein:

(1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed three thousand dollars in value in the aggregate;

(2) A wedding **or engagement** ring not to exceed one thousand five hundred dollars in value and other jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;

(3) Any other property of any kind, not to exceed in value [six hundred] **one thousand two hundred** dollars in the aggregate;

(4) Any implements or professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed three thousand dollars in value in the aggregate;

(5) Any motor vehicles, not to exceed three thousand dollars in value in the aggregate;

(6) Any mobile home used as the principal residence but not attached to real property in which the debtor has a fee interest, not to exceed five thousand dollars in value;

(7) Any one or more unmaturred life insurance contracts owned by such person, other than a credit life insurance contract, and up to fifteen thousand dollars of any matured life insurance proceeds for actual funeral, cremation, or burial expenses where the deceased is the spouse, child, or parent of the beneficiary;

(8) The amount of any accrued dividend or interest under, or loan value of, any one or more unmaturred life insurance contracts owned by such person under which the insured is such person or an individual of whom such person is a dependent; provided, however, that if proceedings under Title 11 of the United States Code are commenced by or against such person, the amount exempt in such proceedings shall not exceed in value one hundred fifty thousand dollars in the aggregate less any amount of property of such person transferred by the life insurance company or fraternal benefit society to itself in good faith if such transfer is to pay a premium or to carry out a nonforfeiture insurance option and is required to be so transferred automatically under a life insurance contract with such company or society that was entered into before commencement of such proceedings. No amount of any accrued dividend or interest under, or loan value of, any such life insurance contracts shall be exempt from any claim for child support. Notwithstanding anything to the contrary, no such amount shall be exempt in such proceedings under any such insurance contract which was purchased by such person within one year prior to the commencement of such proceedings;

(9) Professionally prescribed health aids for such person or a dependent of such person;

(10) Such person's right to receive:

(a) A Social Security benefit, unemployment compensation or a public assistance benefit;

(b) A veteran's benefit;

(c) A disability, illness or unemployment benefit;

(d) Alimony, support or separate maintenance, not to exceed seven hundred fifty dollars a month;

(e) Any payment under a stock bonus plan, pension plan, disability or death benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or established pursuant to section 456.014, the person's right to a participant account in any deferred compensation program offered by the state of Missouri or any of its political subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age or length of service, to the extent reasonably necessary for the support of such person and any dependent of such person unless:

a. Such plan or contract was established by or under the auspices of an insider that employed such person at the time such person's rights under such plan or contract arose;

b. Such payment is on account of age or length of service; and

c. Such plan or contract does not qualify under Section 401(a), 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. Section 401(a), 403(a), 403(b), 408, 408A or 409);

except that, any such payment to any person shall be subject to attachment or execution pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal Revenue Code of 1986, as amended, issued by a court in any proceeding for dissolution of marriage or legal separation or a proceeding for disposition of property following dissolution of marriage by a court which lacked personal jurisdiction over the absent spouse or lacked jurisdiction to dispose of marital property at the time of the original judgment of dissolution;

(f) Any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan, profit-sharing plan, health savings plan, or similar plan, including an inherited account or plan, that is qualified under Section 401(a), **401(k)**, 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, whether such participant's or beneficiary's interest arises by inheritance, designation, appointment, or otherwise, except as provided in this paragraph **or any type of individual retirement arrangement as defined by Publication 590 of the Internal Revenue Service including, but not limited to, a traditional individual income retirement account (IRA), a ROTH IRA, a SEP IRA, and a simple IRA. The exemption amount for individual retirement arrangements shall be unlimited if allowed by federal law and otherwise limited to the maximum exemption allowed under federal law, including the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, as amended.** Any plan or arrangement described in this paragraph shall not be exempt from the claim of an alternate payee under a qualified domestic relations order; however, the interest of any and all alternate payees under a qualified domestic relations order shall be exempt from any and all claims of any creditor, other than the state of Missouri through its department of social services. As used in this paragraph, the terms "alternate payee" and "qualified

domestic relations order” have the meaning given to them in Section 414(p) of the Internal Revenue Code of 1986, as amended. If proceedings under Title 11 of the United States Code are commenced by or against such person, no amount of funds shall be exempt in such proceedings under any such plan, contract, or trust which is fraudulent as defined in subsection 2 of section 428.024 and for the period such person participated within three years prior to the commencement of such proceedings. For the purposes of this section, when the fraudulently conveyed funds are recovered and after, such funds shall be deducted and then treated as though the funds had never been contributed to the plan, contract, or trust;

(11) The debtor’s right to receive, or property that is traceable to, a payment on account of the wrongful death of an individual of whom the debtor was a dependent, to the extent reasonably necessary for the support of the debtor and any dependent of the debtor;

(12) Firearms, firearm accessories, and ammunition, not to exceed one thousand five hundred dollars in value in the aggregate.

2. Nothing in this section shall be interpreted to exempt from attachment or execution for a valid judicial or administrative order for the payment of child support or maintenance any money or assets, payable to a participant or beneficiary from, or any interest of any participant or beneficiary in, a retirement plan which is qualified pursuant to Section 408A of the Internal Revenue Code of 1986, as amended.

513.440. Each head of a family may select and hold, exempt from execution, any other property, real, personal or mixed, or debts and wages, not exceeding in value the amount of one thousand [two] **six** hundred fifty dollars plus [three] **four** hundred fifty dollars for each of such person’s unmarried dependent children under the age of twenty-one years or dependent as defined by the Internal Revenue Code of 1986, as amended, determined to be disabled by the Social Security Administration, except ten percent of any debt, income, salary or wages due such head of a family.

514.040. 1. Except as provided in subsection 3 of this section, if any court shall, before or after the commencement of any suit pending before it, be satisfied that the plaintiff is a poor person, and unable to prosecute his or her suit, and pay all or any portion of the costs and expenses thereof, such court may, in its discretion, permit him or her to commence and prosecute his or her action as a poor person, and thereupon such poor person shall have all necessary process and proceedings as in other cases, without fees, tax or charge as the court determines the person cannot pay; and the court may assign to such person counsel, who, as well as all other officers of the court, shall perform their duties in such suit without fee or reward as the court may excuse; but if judgment is entered for the plaintiff, costs shall be recovered, which shall be collected for the use of the officers of the court.

2. In any civil action brought in a court of this state by any offender convicted of a crime who is confined in any state prison or correctional center, the court shall not reduce the amount required as security for costs upon filing such suit to an amount of less than ten dollars pursuant to this section. This subsection shall not apply to any action for which no sum as security for costs is required to be paid upon filing such suit.

3. Where a party is represented in a civil action by a legal aid society or a legal services or other nonprofit organization funded in whole or substantial part by moneys appropriated by the general assembly of the state of Missouri, which has as its primary purpose the furnishing of legal services to

indigent persons, by a law school clinic which has as its primary purpose educating law students through furnishing legal services to indigent persons, or by private counsel working on behalf of or under the auspices of such society, all costs and expenses, **except guardian ad litem fees as provided by this subsection**, related to the prosecution of the suit may be waived without the necessity of a motion and court approval, provided that a determination has been made by such society or organization that such party is unable to pay the costs, fees and expenses necessary to prosecute or defend the action, and that a certification that such determination has been made is filed with the clerk of the court. **In the event an action involving the appointment of a guardian ad litem goes to trial, an updated certification shall be filed prior to the trial commencing. The waiver of guardian ad litem fees for a party who has filed a certification may be reviewed by the court at the conclusion of the action upon the motion of any party requesting the court to apportion guardian ad litem fees.**

4. Any party may present additional evidence on the financial condition of the parties. Based upon that evidence, if the court finds the certifying party has the present ability to pay, the court may enter judgment ordering the certifying party to pay a portion of the guardian ad litem fees.

5. Any failure to pay guardian ad litem fees shall not preclude a certifying party from filing future suits, including motions to modify, and shall not be used as a basis to limit the certifying party's prosecution or defense of the action.

515.575. 1. Except as otherwise ordered by the court, the entry of an order appointing a general receiver shall operate as a stay, applicable to all persons, of:

(1) The commencement or continuation, including the issuance, employment, or service of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the entry of the order of appointment, or to recover a claim against the debtor that arose before the entry of the order of appointment;

(2) The enforcement against the debtor or any estate property of a judgment obtained before the order of appointment;

(3) Any act to obtain possession of estate property from the receiver, or to interfere with, or exercise control over, estate property;

(4) Any act to create, perfect, or enforce any lien or claim against estate property except by exercise of a right of setoff, to the extent that the lien secures a claim against the debtor that arose before the entry of the order of appointment; or

(5) Any act to collect, assess, or recover a claim against the debtor that arose before the entry of the order of appointment.

2. The stay shall automatically expire as to the acts specified in subdivisions (1), (2), and [(3)] **(5)** of subsection 1 of this section sixty days after the entry of the order of appointment unless before the expiration of the sixty-day period the debtor or receiver, for good cause shown, obtains an order of the court extending the stay, after notice and a hearing. A person whose action or proceeding is stayed by motion to the court may seek relief from the stay for good cause shown. Any judgment obtained against the debtor or estate property following the entry of the order of appointment is not a lien against estate property unless the receivership is terminated prior to a conveyance of the property against which the judgment would otherwise constitute a lien.

3. The entry of an order appointing a receiver does not operate as a stay of:

(1) The commencement or continuation of a criminal proceeding against the debtor;

(2) The commencement or continuation of an action or proceeding to establish paternity, or to establish or modify an order for alimony, maintenance, or support, or to collect alimony, maintenance, or support under any order of a court;

(3) Any act to perfect or to maintain or continue the perfection of an interest in estate property pursuant to any generally applicable Missouri law that permits perfection of an interest in property to be effective against an entity that acquires rights in such property before the date of perfection. Such right to perfect an interest in estate property includes any act to perfect an interest in purchase money collateral pursuant to sections 400.9-301 to 400.9-339, perfection of a lien that may be placed against real property under the provisions of chapter 429, or the assertion of a right to continue in possession of any estate property that is in the possession of a person entitled to retain possession of such property pending payment for work performed with respect to such property. If perfection of an interest would otherwise require seizure of the property involved or the commencement of an action, the perfection shall instead be accomplished by filing, and by serving upon the receiver, or receiver's counsel, if any, notice of the interest within the time fixed by law for seizure or commencement;

(4) The commencement or continuation of an action or proceeding by a governmental unit to enforce its police or regulatory power;

(5) The enforcement of a judgment, other than a money judgment, obtained in an action or proceeding by a governmental unit to enforce its police or regulatory power, or with respect to any licensure of the debtor;

(6) The exercise of a right of setoff, including but not limited to, any right of a commodity broker, forward contract merchant, stockbroker, financial institution, or securities clearing agency to set off a claim for a margin payment or settlement payment arising out of a commodity contract, forward contract, or securities contract against cash, securities, or other property held or due from the commodity broker, forward contract merchant, stockbroker, financial institution, or securities clearing agency to margin, guarantee, secure, or settle the commodity contract, forward contract, or securities contract, and any right of a swap participant to set off a claim for a payment due to the swap participant under or in connection with a swap agreement against any payment due from the swap participant under or in connection with the swap agreement or against cash, securities, or other property of the debtor held by or due from the swap participant to guarantee, secure, or settle the swap agreement;

(7) The establishment by a governmental unit of any tax liability and any appeal thereof; or

(8) Any action pending in a court other than that in which the receiver is appointed until transcription of the order appointing the receiver or extending the stay is made to the other court in which an action against the debtor is pending.

4. For the purposes of subdivision (8) of subsection 3 of this section, the receiver or any party in interest is authorized to cause to be transcribed any order appointing a receiver or extending the stay to any and all courts in which any action against a debtor is pending in this state. A court that receives a transcript of an order of receivership or extension of stay may on its own order sua sponte transfer the matter before the court to the court issuing an order of receivership.

515.635. To the extent that funds are available in the estate for distribution to creditors in a general receivership, the holder of an allowed noncontingent, liquidated claim is entitled to receive interest at the legal rate or other applicable rate from the date of appointment of the receiver or the date on which the claim became a noncontingent, liquidated claim. If there are [sufficient] **insufficient** funds in the estate to fully pay all interest owing to all members of the class, then interest shall be paid proportionately to each member of the class.

544.671. Notwithstanding any supreme court rule or judicial ruling to the contrary, no defendant under a sentence of death or imprisonment in the penitentiary for life, or any sentence of imprisonment for a violation of section 579.065, 565.021, [or] 565.050, **565.052 in which the victim is a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties, 565.054 in which the victim is a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties, 565.056 in which the victim is a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties,** section 566.030, **566.031**, 566.032, 566.040 as it existed prior to August 28, 2013, 566.060, **566.061**, 566.062, 566.070 as it existed prior to August 28, 2013, or 566.100, and no defendant who has pled guilty to or been found guilty of any felony sexual offense under chapter 566, where the victim was less than seventeen years of age at the time the crime was committed, any sexual offense under chapter 568, where the victim was less than seventeen years of age at the time the crime was committed, or any pornographic offense involving a minor as set forth in sections 573.023, 573.025, 573.035, and 573.037, and any felony violation of section 573.040, shall be entitled to bail pending appeal after June 29, 1994. Pursuant to the prerogative of the general assembly to declare the public policy of this state in matters regarding criminal liability of persons and to enact laws relating to judicial procedure, the general assembly declares that subsequent to June 29, 1994, no person shall be entitled to bail or continuation of bail pursuant to section 547.170 if that person is under a sentence of death or imprisonment in the penitentiary for life, or any sentence of imprisonment for a violation of section 579.065, 565.021, [or] 565.050, **565.052 in which the victim is a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties, 565.054 in which the victim is a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties, 565.056 in which the victim is a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties,** section 566.030, **566.031**, 566.032, 566.040 as it existed prior to August 28, 2013, 566.060, **566.061**, 566.062, 566.070 as it existed prior to August 28, 2013, or 566.100, [and no defendant who] or if that **person** has pled guilty to or been found guilty of any felony sexual offense under chapter 566, where the victim was less than seventeen years of age at the time the crime was committed, any sexual offense under chapter 568, where the victim was less than seventeen years of age at the time the crime was committed, or any pornographic offense involving a minor as set forth in sections 573.023, 573.025, 573.035, and 573.037, and any felony violation of section 573.040.

552.020. 1. No person who as a result of mental disease or defect lacks capacity to understand the proceedings against him **or her** or to assist in his **or her** own defense shall be tried, convicted or

sentenced for the commission of an offense so long as the incapacity endures.

2. Whenever any judge has reasonable cause to believe that the accused lacks mental fitness to proceed, [he] **the judge** shall, upon his **or her** own motion or upon motion filed by the state or by or on behalf of the accused, by order of record, appoint one or more private psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to persons with an intellectual disability or developmental disability or mental illness, who are neither employees nor contractors of the department of mental health for purposes of performing the examination in question, to examine the accused; or shall direct the director to have the accused so examined by one or more psychiatrists or psychologists, as defined in section 632.005, or physicians with a minimum of one year training or experience in providing treatment or services to persons with an intellectual disability, developmental disability, or mental illness. The order shall direct that a written report or reports of such examination be filed with the clerk of the court. No private physician, psychiatrist, or psychologist shall be appointed by the court unless he **or she** has consented to act. The examinations ordered shall be made at such time and place and under such conditions as the court deems proper; except that, if the order directs the director of the department to have the accused examined, the director, or his **or her** designee, shall determine the time, place and conditions under which the examination shall be conducted. The order may include provisions for the interview of witnesses and may require the provision of police reports to the department for use in evaluations. The department shall establish standards and provide training for those individuals performing examinations pursuant to this section and section 552.030. No individual who is employed by or contracts with the department shall be designated to perform an examination pursuant to this chapter unless the individual meets the qualifications so established by the department. Any examination performed pursuant to this subsection shall be completed and filed with the court within sixty days of the order unless the court for good cause orders otherwise. Nothing in this section or section 552.030 shall be construed to permit psychologists to engage in any activity not authorized by chapter 337. One pretrial evaluation shall be provided at no charge to the defendant by the department. All costs of subsequent evaluations shall be assessed to the party requesting the evaluation.

3. A report of the examination made under this section shall include:

(1) Detailed findings;

(2) An opinion as to whether the accused has a mental disease or defect;

(3) An opinion based upon a reasonable degree of medical or psychological certainty as to whether the accused, as a result of a mental disease or defect, lacks capacity to understand the proceedings against him **or her** or to assist in his **or her** own defense;

(4) A recommendation as to whether the accused should be held in custody in a suitable hospital facility for treatment pending determination, by the court, of mental fitness to proceed; and

(5) A recommendation as to whether the accused, if found by the court to be mentally fit to proceed, should be detained in such hospital facility pending further proceedings.

4. If the accused has pleaded lack of responsibility due to mental disease or defect or has given the written notice provided in subsection 2 of section 552.030, the court shall order the report of the examination conducted pursuant to this section to include, in addition to the information required in

subsection 3 of this section, an opinion as to whether at the time of the alleged criminal conduct the accused, as a result of mental disease or defect, did not know or appreciate the nature, quality, or wrongfulness of his **or her** conduct or as a result of mental disease or defect was incapable of conforming his **or her** conduct to the requirements of law. A plea of not guilty by reason of mental disease or defect shall not be accepted by the court in the absence of any such pretrial evaluation which supports such a defense. In addition, if the accused has pleaded not guilty by reason of mental disease or defect, and the alleged crime is not a dangerous felony as defined in section 556.061, or those crimes set forth in subsection 11 of section 552.040, or the attempts thereof, the court shall order the report of the examination to include an opinion as to whether or not the accused should be immediately conditionally released by the court pursuant to the provisions of section 552.040 or should be committed to a mental health or developmental disability facility. If such an evaluation is conducted at the direction of the director of the department of mental health, the court shall also order the report of the examination to include an opinion as to the conditions of release which are consistent with the needs of the accused and the interest of public safety, including, but not limited to, the following factors:

- (1) Location and degree of necessary supervision of housing;
- (2) Location of and responsibilities for appropriate psychiatric, rehabilitation and aftercare services, including the frequency of such services;
- (3) Medication follow-up, including necessary testing to monitor medication compliance;
- (4) At least monthly contact with the department's forensic case monitor;
- (5) Any other conditions or supervision as may be warranted by the circumstances of the case.

5. If the report contains the recommendation that the accused should be committed to or held in a suitable hospital facility pending determination of the issue of mental fitness to proceed, and if the accused is not admitted to bail or released on other conditions, the court may order that the accused be committed to or held in a suitable hospital facility pending determination of the issue of mental fitness to proceed.

6. The clerk of the court shall deliver copies of the report to the prosecuting or circuit attorney and to the accused or his **or her** counsel. The report shall not be a public record or open to the public. Within ten days after the filing of the report, both the defendant and the state shall, upon written request, be entitled to an order granting them an examination of the accused by a psychiatrist or psychologist, as defined in section 632.005, or a physician with a minimum of one year training or experience in providing treatment or services to persons with an intellectual disability or developmental disability or mental illness, of their own choosing and at their own expense. An examination performed pursuant to this subsection shall be completed and a report filed with the court within sixty days of the date it is received by the department or private psychiatrist, psychologist or physician unless the court, for good cause, orders otherwise. A copy shall be furnished the opposing party.

7. If neither the state nor the accused nor his **or her** counsel requests a second examination relative to fitness to proceed or contests the findings of the report referred to in subsections 2 and 3 of this section, the court may make a determination and finding on the basis of the report filed or may hold a hearing on its own motion. If any such opinion is contested, the court shall hold a hearing on the issue. The court shall determine the issue of mental fitness to proceed and may impanel a jury of six persons to

assist in making the determination. The report or reports may be received in evidence at any hearing on the issue but the party contesting any opinion therein shall have the right to summon and to cross-examine the examiner who rendered such opinion and to offer evidence upon the issue.

8. At a hearing on the issue pursuant to subsection 7 of this section, the accused is presumed to have the mental fitness to proceed. The burden of proving that the accused does not have the mental fitness to proceed is by a preponderance of the evidence and the burden of going forward with the evidence is on the party raising the issue. The burden of going forward shall be on the state if the court raises the issue.

9. If the court determines that the accused lacks mental fitness to proceed, the criminal proceedings shall be suspended and the court shall commit him or her to the director of the department of mental health. **After the person has been committed, legal counsel for the department of mental health shall have standing to file motions and participate in hearings on the issue of involuntary medications.**

10. Any person committed pursuant to subsection 9 of this section shall be entitled to the writ of habeas corpus upon proper petition to the court that committed him or her. The issue of the mental fitness to proceed after commitment under subsection 9 of this section may also be raised by a motion filed by the director of the department of mental health or by the state, alleging the mental fitness of the accused to proceed. A report relating to the issue of the accused's mental fitness to proceed may be attached thereto. If the motion is not contested by the accused or his **or her** counsel or if after a hearing on a motion the court finds the accused mentally fit to proceed, or if he **or she** is ordered discharged from the director's custody upon a habeas corpus hearing, the criminal proceedings shall be resumed.

11. The following provisions shall apply after a commitment as provided in this section:

(1) Six months after such commitment, the court which ordered the accused committed shall order an examination by the head of the facility in which the accused is committed, or a qualified designee, to ascertain whether the accused is mentally fit to proceed and if not, whether there is a substantial probability that the accused will attain the mental fitness to proceed to trial in the foreseeable future. The order shall direct that written report or reports of the examination be filed with the clerk of the court within thirty days and the clerk shall deliver copies to the prosecuting attorney or circuit attorney and to the accused or his **or her** counsel. The report required by this subsection shall conform to the requirements under subsection 3 of this section with the additional requirement that it include an opinion, if the accused lacks mental fitness to proceed, as to whether there is a substantial probability that the accused will attain the mental fitness to proceed in the foreseeable future;

(2) Within ten days after the filing of the report, both the accused and the state shall, upon written request, be entitled to an order granting them an examination of the accused by a psychiatrist or psychologist, as defined in section 632.005, or a physician with a minimum of one year training or experience in providing treatment or services to persons with an intellectual disability or developmental disability or mental illness, of their own choosing and at their own expense. An examination performed pursuant to this subdivision shall be completed and filed with the court within thirty days unless the court, for good cause, orders otherwise. A copy shall be furnished to the opposing party;

(3) If neither the state nor the accused nor his **or her** counsel requests a second examination relative to fitness to proceed or contests the findings of the report referred to in subdivision (1) of this subsection, the court may make a determination and finding on the basis of the report filed, or may hold

a hearing on its own motion. If any such opinion is contested, the court shall hold a hearing on the issue. The report or reports may be received in evidence at any hearing on the issue but the party contesting any opinion therein relative to fitness to proceed shall have the right to summon and to cross-examine the examiner who rendered such opinion and to offer evidence upon the issue;

(4) If the accused is found mentally fit to proceed, the criminal proceedings shall be resumed;

(5) If it is found that the accused lacks mental fitness to proceed but there is a substantial probability the accused will be mentally fit to proceed in the reasonably foreseeable future, the court shall continue such commitment for a period not longer than six months, after which the court shall reinstitute the proceedings required under subdivision (1) of this subsection;

(6) If it is found that the accused lacks mental fitness to proceed and there is no substantial probability that the accused will be mentally fit to proceed in the reasonably foreseeable future, the court shall dismiss the charges without prejudice and the accused shall be discharged, but only if proper proceedings have been filed under chapter 632 or chapter 475, in which case those sections and no others will be applicable. The probate division of the circuit court shall have concurrent jurisdiction over the accused upon the filing of a proper pleading to determine if the accused shall be involuntarily detained under chapter 632, or to determine if the accused shall be declared incapacitated under chapter 475, and approved for admission by the guardian under section 632.120 or 633.120, to a mental health or developmental disability facility. When such proceedings are filed, the criminal charges shall be dismissed without prejudice if the court finds that the accused is mentally ill and should be committed or that he **or she** is incapacitated and should have a guardian appointed. The period of limitation on prosecuting any criminal offense shall be tolled during the period that the accused lacks mental fitness to proceed.

12. If the question of the accused's mental fitness to proceed was raised after a jury was impaneled to try the issues raised by a plea of not guilty and the court determines that the accused lacks the mental fitness to proceed or orders the accused committed for an examination pursuant to this section, the court may declare a mistrial. Declaration of a mistrial under these circumstances, or dismissal of the charges pursuant to subsection 11 of this section, does not constitute jeopardy, nor does it prohibit the trial, sentencing or execution of the accused for the same offense after he **or she** has been found restored to competency.

13. The result of any examinations made pursuant to this section shall not be a public record or open to the public.

14. No statement made by the accused in the course of any examination or treatment pursuant to this section and no information received by any examiner or other person in the course thereof, whether such examination or treatment was made with or without the consent of the accused or upon his **or her** motion or upon that of others, shall be admitted in evidence against the accused on the issue of guilt in any criminal proceeding then or thereafter pending in any court, state or federal. A finding by the court that the accused is mentally fit to proceed shall in no way prejudice the accused in a defense to the crime charged on the ground that at the time thereof he **or she** was afflicted with a mental disease or defect excluding responsibility, nor shall such finding by the court be introduced in evidence on that issue nor otherwise be brought to the notice of the jury.

557.035. 1. For all violations of **section 565.054 or 565.090**, subdivision (1) of subsection 1 of

section 569.100, or subdivision (1), (2), (3), (4), (6), (7) or (8) of subsection 1 of section 571.030, which the state believes to be knowingly motivated because of race, color, religion, national origin, sex, sexual orientation or disability of the victim or victims, the state may charge the offense or offenses under this section, and the violation is a class D felony.

2. For all violations of section [565.054] **565.056**; [subdivisions (1), (3) and (4) of subsection 1 of section 565.090;] subdivision (1) of subsection 1 of section 569.090; subdivision (1) of subsection 1 of section 569.120; section 569.140; or section 574.050; which the state believes to be knowingly motivated because of race, color, religion, national origin, sex, sexual orientation or disability of the victim or victims, the state may charge the offense or offenses under this section, and the violation is a class E felony.

3. The court shall assess punishment in all of the cases in which the state pleads and proves any of the motivating factors listed in this section.

565.050. 1. A person commits the offense of assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to another person.

2. The offense of assault in the first degree is a class B felony unless in the course thereof the person inflicts serious physical injury on the victim, or if the victim of such assault is a special victim, as the term “special victim” is defined under section 565.002, in which case it is a class A felony.

3. Persons found guilty under this section shall not be eligible for probation or parole if the victim was a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties.

565.052. 1. A person commits the offense of assault in the second degree if he or she:

(1) Attempts to kill or knowingly causes or attempts to cause serious physical injury to another person under the influence of sudden passion arising out of adequate cause; or

(2) Attempts to cause or knowingly causes physical injury to another person by means of a deadly weapon or dangerous instrument; or

(3) Recklessly causes serious physical injury to another person; or

(4) Recklessly causes physical injury to another person by means of discharge of a firearm.

2. The defendant shall have the burden of injecting the issue of influence of sudden passion arising from adequate cause under subdivision (1) of subsection 1 of this section.

3. The offense of assault in the second degree is a class D felony, unless the victim of such assault is a special victim, as the term “special victim” is defined under section 565.002, in which case it is a class B felony.

4. Persons found guilty under this section shall not be eligible for probation or parole if the victim was a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties.

565.054. 1. A person commits the offense of assault in the third degree if he or she knowingly causes physical injury to another person.

2. The offense of assault in the third degree is a class E felony, unless the victim of such assault is a special victim, as the term “special victim” is defined under section 565.002, in which case it is a class D felony.

3. Persons found guilty under this section shall not be eligible for probation or parole if the victim was a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties.

565.056. 1. A person commits the offense of assault in the fourth degree if:

(1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to another person;

(2) With criminal negligence the person causes physical injury to another person by means of a firearm;

(3) The person purposely places another person in apprehension of immediate physical injury;

(4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to another person;

(5) The person knowingly causes or attempts to cause physical contact with a person with a disability, which a reasonable person, who does not have a disability, would consider offensive or provocative; or

(6) The person knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative.

2. Except as provided in subsection 3 of this section, assault in the fourth degree is a class A misdemeanor.

3. Violation of the provisions of subdivision (3) or (6) of subsection 1 of this section is a class C misdemeanor unless the victim is a special victim, as the term “special victim” is defined under section 565.002, in which case a violation of such provisions is a class A misdemeanor.

4. Persons found guilty under this section shall not be eligible for probation or parole if the victim was a law enforcement officer, firefighter, or emergency medical service provider assaulted in the performance of his or her official duties or as a direct result of such official duties.

565.076. 1. A person commits the offense of domestic assault in the fourth degree if the act involves a domestic victim, as the term “domestic victim” is defined under section 565.002, and:

(1) The person attempts to cause or recklessly causes physical injury, physical pain, or illness to such domestic victim;

(2) With criminal negligence the person causes physical injury to such domestic victim by means of a deadly weapon or dangerous instrument;

(3) The person purposely places such domestic victim in apprehension of immediate physical injury by any means;

(4) The person recklessly engages in conduct which creates a substantial risk of death or serious physical injury to such domestic victim;

(5) The person knowingly causes physical contact with such domestic victim knowing he or she will regard the contact as offensive; or

(6) The person knowingly attempts to cause or causes the isolation of such domestic victim by unreasonably and substantially restricting or limiting his or her access to other persons, telecommunication devices or transportation for the purpose of isolation.

2. The offense of domestic assault in the fourth degree is a class A misdemeanor, unless the person has previously been found guilty of the offense of **domestic assault [of a domestic victim], of any assault offense under this chapter, or of any offense against a domestic victim committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which if committed in this state two or more times[,] would be a violation of this section**, in which case it is a class E felony. The offenses described in this subsection may be against the same domestic victim or against different domestic victims.

565.091. 1. A person commits the offense of harassment in the second degree if he or she, without good cause, engages in any act with the purpose to cause emotional distress to another person.

2. The offense of harassment in the second degree is a class A misdemeanor, **unless the person has previously pleaded guilty to or been found guilty of a violation of this section, of any offense committed in violation of any county or municipal ordinance in any state, any state law, any federal law, or any military law which if committed in this state would be chargeable or indictable as a violation of any offense listed in this subsection, in which case it is a class E felony.**

3. **This section shall not apply to activities of federal, state, county, or municipal law enforcement officers conducting investigations of violations of federal, state, county, or municipal law.**

566.010. As used in this chapter and chapter 568, the following terms mean:

(1) “Aggravated sexual offense”, any sexual offense, in the course of which, the actor:

(a) Inflicts serious physical injury on the victim; [or]

(b) Displays a deadly weapon or dangerous instrument in a threatening manner; [or]

(c) Subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person; [or]

(d) Had previously been found guilty of an offense under this chapter or under section 573.200, child used in sexual performance; section 573.205, promoting sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting child pornography in the second degree; section 573.037, possession of child pornography; or section 573.040, furnishing pornographic materials to minors; or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this chapter or said sections;

(e) Commits the offense as part of an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity; or

(f) Engages in the act that constitutes the offense with a person the actor knows to be, without regard

to legitimacy, the actor's:

- a. Ancestor or descendant by blood or adoption;
- b. Stepchild while the marriage creating that relationship exists;
- c. Brother or sister of the whole or half blood; or
- d. Uncle, aunt, nephew, or niece of the whole blood;

(2) "Commercial sex act", any sex act on account of which anything of value is given to or received by any person;

(3) "Deviate sexual intercourse", any act involving the genitals of one person and the hand, mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

(4) "Forced labor", a condition of servitude induced by means of:

(a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the person does not enter into or continue the servitude, such person or another person will suffer substantial bodily harm or physical restraint; or

(b) The abuse or threatened abuse of the legal process;

(5) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;

(6) "Sexual contact", any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, or such touching through the clothing, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

(7) "Sexual intercourse", any penetration, however slight, of the female genitalia by the penis.

570.095. 1. A person commits the offense of filing false documents if:

(1) With the intent to defraud, deceive, harass, alarm, or negatively impact financially, or in such a manner reasonably calculated to deceive, defraud, harass, alarm, or negatively impact financially, he or she files, causes to be filed or recorded, or attempts to file or record, creates, uses as genuine, transfers or has transferred, presents, or prepares with knowledge or belief that it will be filed, presented, recorded, or transferred to the secretary of state or his or her designee, or any county or independent city recorder of deeds or his or her designee, any municipal, county, district, or state government entity, division, agency, or office, or any credit bureau or financial institution any of the following types of documents:

- (a) Common law lien;**
- (b) Uniform commercial code filing or record;**
- (c) Real property recording;**
- (d) Financing statement;**

- (e) Contract;**
- (f) Warranty, special, or quitclaim deed;**
- (g) Quiet title claim or action;**
- (h) Deed in lieu of foreclosure;**
- (i) Legal affidavit;**
- (j) Legal process;**
- (k) Legal summons;**
- (l) Bills and due bills;**
- (m) Criminal charging documents or materially false criminal charging documents;**
- (n) Any other document not stated in this subdivision that is related to real property; or**
- (o) Any state, county, district, federal, municipal, credit bureau, or financial institution form or document; and**

(2) Such documents listed in subdivision (1) of this subsection contain materially false information, or are fraudulent, or are a forgery, as defined in section 570.090, or lack the consent of all parties listed in documents where mutual consent is required, or are invalid under Missouri law.

2. Filing false documents under this section is a class D felony for the first offense except under the following circumstances where filing false documents is a class C felony:

(1) The defendant has been previously found guilty or pleaded guilty to a violation of this section;

(2) The victim or named party in the matter:

(a) Is an official elected to municipal, county, district, federal, or statewide office;

(b) Is an official who was appointed to municipal, county, district, federal, or statewide office;
or

(c) Is an employee of an official who has been elected or appointed to municipal, county, district, federal, or statewide office;

(3) The victim or named party in the matter is a judge or magistrate of:

(a) Any court or division of the court in this or any other state or an employee of any court of this state or any other state; or

(b) Any court system of the United States or is an employee of any court of the United States;

(4) The victim or named party in the matter is a full-time, part-time, or reserve or auxiliary peace officer, as defined in section 590.010, licensed in this state or any other state;

(5) The victim or named party in the matter is a full-time, part-time, or volunteer firefighter in this state or any other state;

(6) The victim or named party in the matter is an officer of federal job class 1811 who is empowered to enforce United States laws;

(7) The victim or named party in the matter is a law enforcement officer of the United States as defined in 5 U.S.C. 8401(17)(A) or (D);

(8) The victim or named party in the matter is an employee of any law enforcement or legal prosecution agency in this state or any other state or the United States;

(9) The victim or named party in the matter is an employee of a federal agency that has agents or officers who are of job class 1811 who are empowered to enforce United States laws or is an employee of a federal agency that has law enforcement officers as defined in 5 U.S.C. 8401(17)(A) or (D);

(10) The victim or named party in the matter is an officer of the railroad police as defined in section 388.600.

3. For a penalty enhancement as described in subsection 2 of this section to apply, the occupation of the victim or named party shall be material to the subject matter of the document or documents filed or the relief sought by the document or documents filed, and the occupation of the victim or named party shall be materially connected to the apparent reason that the victim has been named, victimized, or involved. For purposes of this subsection and subsection 2 of this section, a person who has retired or resigned from any agency, institution, or occupation listed under subsection 2 of this section shall be considered the same fashion as a person who remains in employment and shall also include the following family members of a person listed under subdivisions (2) to (9) of subsection 2 of this section:

(1) Such person's spouse;

(2) Such person or such person's spouse's ancestor or descendant by blood or adoption; or

(3) Such person's stepchild, while the marriage creating that relationship exists.

4. Any person who pleads guilty or is found guilty under subsections 1 to 3 of this section shall be ordered by the court to make full restitution to any person or entity that has sustained actual losses or costs as a result of the actions of the defendants. Such restitution shall not be paid in lieu of jail or prison time, but rather in addition to any jail or prison time imposed by the court.

5. (1) Nothing in this section shall limit the power of the state to investigate, charge, or punish any person for any conduct that constitutes a crime by any other statute of this state or the United States.

(2) There is no requirement under this section that the filing or record be retained by the receiving entity for prosecution under this section. A filing or record being rejected by the receiving entity shall not be used as an affirmative defense.

6. (1) Any statewide or county agency or similar agency that functions in independent cities of this state, which is responsible for or receives document filings or records, including county recorders of deeds and the secretary of state's office, shall, by January 1, 2018, impose a system in which the documents that have been submitted to the receiving agency or in the case of the secretary of state those filings rejected under its legal authority are logged or noted in a ledger,

spreadsheet, or similar recording method if the filing or recording officer or employee believes the filings or records appear to be fraudulent or contain suspicious verbiage. The receiving agency shall make available noted documents for review by the:

- (a) Jurisdictional prosecuting or circuit attorney or his or her designee;
- (b) County sheriff or his or her designee;
- (c) County police chief or his or her designee;
- (d) City police chief or his or her designee in independent cities; or
- (e) Commissioned peace officers as defined in section 590.010.

Review of such documents is permissible for the agent or agencies under this subdivision without the need of a grand jury subpoena or court order. No fees or monetary charges shall be levied on the investigative agents or agencies for review of documents noted in the ledger or spreadsheet. The ledger or spreadsheet and its contents shall be retained by the agency that controls entries into such ledger or spreadsheet for a minimum of three years from the earliest entry listed in the ledger or spreadsheet.

(2) The receiving entity shall, upon receipt of a filing or record that has been noted as a suspicious filing or record, notify the chief law enforcement officer of the county or his or her designee and the prosecutor of the county or his or her designee of the filing's or record's existence. Timely notification shall be made upon receipt of the filing or record. Notification may be accomplished via electronic mail or via paper memorandum.

(3) There shall be no requirement imposed by this section that the agency receiving the filing or record make notification to the person conducting the filing or record that the filing or record has been entered as a logged or noted filing or record.

(4) Reviews to ensure compliance with the provisions of this section shall be the responsibility of any commissioned peace officer; except that, the secretary of state shall be held compliant by the state legislature. Findings of noncompliance shall be reported to the jurisdictional prosecuting or circuit attorney or his or her designee by any commissioned peace officer who has probable cause to believe that the noncompliance has taken place purposely, knowingly, recklessly, or with criminal negligence, as described under section 562.016.

7. To petition for a judicial review of a filing or record that is believed to be fraudulent, false, misleading, forged, or contains materially false information, a petitioner may file a probable cause statement which delineates the cause to believe that the filing or record is materially false, contains materially false information, is a forgery, is fraudulent, or is misleading. This probable cause statement shall be filed in the associate or circuit court of the county in which the original filing or record was transferred, received, or recorded.

8. A filed petition under this section shall have an initial hearing date within twenty business days of the petition being filed with the court. A court ruling of "invalid" shall be evidence that the original filing or record was not accurate, true, or correct. A court ruling of "invalid" shall be retained or recorded at the original receiving entity. The receiving entity shall waive all filing or recording fees associated with the filing or recording of the court ruling document in this

subsection. This ruling may be forwarded to credit bureaus or other institutions at the request of the petitioner via motion to the applicable court at no additional cost to the petitioner.

9. If a filing or record is deemed invalid, court costs and fees are the responsibility of the party who originally initiated the filing or record. If the filing or record is deemed valid, no court costs or fees, in addition to standard filing fees, shall be assessed.

575.150. 1. A person commits the offense of resisting or interfering with arrest, detention, or stop if he or she knows or reasonably should know that a law enforcement officer is making an arrest or attempting to lawfully detain or stop an individual or vehicle, and for the purpose of preventing the officer from effecting the arrest, stop or detention, he or she:

(1) Resists the arrest, stop or detention of such person by using or threatening the use of violence or physical force or by fleeing from such officer; or

(2) Interferes with the arrest, stop or detention of another person by using or threatening the use of violence, physical force or physical interference.

2. This section applies to:

(1) Arrests, stops, or detentions, with or without warrants;

(2) Arrests, stops, or detentions, for any offense, infraction, or ordinance violation; and

(3) Arrests for warrants issued by a court or a probation and parole officer.

3. A person is presumed to be fleeing a vehicle stop if he or she continues to operate a motor vehicle after he or she has seen or should have seen clearly visible emergency lights or has heard or should have heard an audible signal emanating from the law enforcement vehicle pursuing him or her.

4. It is no defense to a prosecution pursuant to subsection 1 of this section that the law enforcement officer was acting unlawfully in making the arrest. However, nothing in this section shall be construed to bar civil suits for unlawful arrest.

5. The offense of resisting or interfering with an arrest is a class E felony for an arrest for a:

(1) Felony;

(2) Warrant issued for failure to appear on a felony case; or

(3) Warrant issued for a probation violation on a felony case.

The offense of resisting an arrest, detention or stop in violation of subdivision (1) or (2) of subsection 1 of this section is a class A misdemeanor, unless the person fleeing creates a substantial risk of serious physical injury or death to any person, in which case it is a class E felony.

6. Persons found guilty under this section shall not be eligible for probation or parole.

575.280. 1. A person commits the offense of acceding to corruption if he or she:

(1) Is a judge, juror, special master, referee or arbitrator and knowingly solicits, accepts, or agrees to accept any benefit, direct or indirect, on the representation or understanding that it will influence his or her official action in a judicial proceeding pending in any court or before such official or juror;

(2) Is a witness or prospective witness in any official proceeding and knowingly solicits, accepts, or agrees to accept any benefit, direct or indirect, on the representation or understanding that he or she will disobey a subpoena or other legal process, absent himself or herself, avoid subpoena or other legal process, withhold evidence, information or documents, or testify falsely.

2. The offense of acceding to corruption under subdivision [(2)] (1) of subsection 1 of this section [is a class A misdemeanor. The offense, when committed under subdivision (1) of subsection 1 of this section,] is a class C felony[; unless the offense is committed in a felony prosecution, or on the representation or understanding of testifying falsely, in which case it is a class E felony]. **The offense of acceding to corruption under subdivision (2) of subsection 1 of this section in a felony prosecution or on the representation or understanding of testifying falsely is a class D felony. Otherwise acceding to corruption is a class A misdemeanor.**

577.001. As used in this chapter, the following terms mean:

(1) “Aggravated offender”, a person who has been found guilty of:

(a) Three or more intoxication-related traffic offenses committed on separate occasions; or

(b) Two or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(2) “Aggravated boating offender”, a person who has been found guilty of:

(a) Three or more intoxication-related boating offenses; or

(b) Two or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(3) “All-terrain vehicle”, any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(4) “Court”, any circuit, associate circuit, or municipal court, including traffic court, but not any juvenile court or drug court;

(5) “Chronic offender”, a person who has been found guilty of:

(a) Four or more intoxication-related traffic offenses committed on separate occasions; or

(b) Three or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related traffic offenses committed on separate occasions where both intoxication-related traffic offenses were offenses committed in violation of any state law, county or

municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed;

(6) “Chronic boating offender”, a person who has been found guilty of:

(a) Four or more intoxication-related boating offenses; or

(b) Three or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Two or more intoxication-related boating offenses committed on separate occasions where both intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(7) “Continuous alcohol monitoring”, automatically testing breath, blood, or transdermal alcohol concentration levels and tampering attempts at least once every hour, regardless of the location of the person who is being monitored, and regularly transmitting the data. Continuous alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of section 217.690;

(8) “Controlled substance”, a drug, substance, or immediate precursor in schedules I to V listed in section 195.017;

(9) “Drive”, “driving”, “operates” or “operating”, [means] physically driving or operating a vehicle or vessel;

(10) “Flight crew member”, the pilot in command, copilots, flight engineers, and flight navigators;

(11) “Habitual offender”, a person who has been found guilty of:

(a) Five or more intoxication-related traffic offenses committed on separate occasions; or

(b) Four or more intoxication-related traffic offenses committed on separate occasions where at least one of the intoxication-related traffic offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related traffic offenses committed on separate occasions where at least two of the intoxication-related traffic offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed; [or

(d) While driving while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vehicle operated by the defendant, including the death of an individual that results from the defendant’s vehicle leaving a highway, as defined by section 301.010, or the highway’s right-of-way; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-

hundredths of one percent by weight of alcohol in such person's blood;]

(12) "Habitual boating offender", a person who has been found guilty of:

(a) Five or more intoxication-related boating offenses; or

(b) Four or more intoxication-related boating offenses committed on separate occasions where at least one of the intoxication-related boating offenses is an offense committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(c) Three or more intoxication-related boating offenses committed on separate occasions where at least two of the intoxication-related boating offenses were offenses committed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed; or

(d) While boating while intoxicated, the defendant acted with criminal negligence to:

a. Cause the death of any person not a passenger in the vessel operated by the defendant, including the death of an individual that results from the defendant's vessel leaving the water; or

b. Cause the death of two or more persons; or

c. Cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood;

(13) "Intoxicated" or "intoxicated condition", when a person is under the influence of alcohol, a controlled substance, or drug, or any combination thereof;

(14) "Intoxication-related boating offense", operating a vessel while intoxicated; boating while intoxicated; operating a vessel with excessive blood alcohol content or an offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

(15) "Intoxication-related traffic offense", driving while intoxicated, driving with excessive blood alcohol content, driving under the influence of alcohol or drugs in violation of a **state law**, county or municipal ordinance, **any federal offense, or any military offense**, or an offense in which the defendant was operating a vehicle while intoxicated and another person was injured or killed in violation of any state law, county or municipal ordinance, any federal offense, or any military offense;

(16) "Law enforcement officer" or "arresting officer", includes the definition of law enforcement officer in section 556.061 and military policemen conducting traffic enforcement operations on a federal military installation under military jurisdiction in the state of Missouri;

(17) "Operate a vessel", to physically control the movement of a vessel in motion under mechanical or sail power in water;

(18) "Persistent offender", a person who has been found guilty of:

(a) Two or more intoxication-related traffic offenses committed on separate occasions; or

(b) One intoxication-related traffic offense committed in violation of any state law, county or municipal ordinance, federal offense, or military offense in which the defendant was operating a vehicle

while intoxicated and another person was injured or killed;

(19) “Persistent boating offender”, a person who has been found guilty of:

(a) Two or more intoxication-related boating offenses committed on separate occasions; or

(b) One intoxication-related boating offense committed in violation of any state law, county or municipal ordinance, federal offense, or military offense in which the defendant was operating a vessel while intoxicated and another person was injured or killed;

(20) “Prior offender”, a person who has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged;

(21) “Prior boating offender”, a person who has been found guilty of one intoxication-related boating offense, where such prior offense occurred within five years of the occurrence of the intoxication-related boating offense for which the person is charged.

577.010. 1. A person commits the offense of driving while intoxicated if he or she operates a vehicle while in an intoxicated condition.

2. The offense of driving while intoxicated is:

(1) A class B misdemeanor;

(2) A class A misdemeanor if:

(a) The defendant is a prior offender; or

(b) A person less than seventeen years of age is present in the vehicle;

(3) A class E felony if:

(a) The defendant is a persistent offender; or

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to another person;

(4) A class D felony if:

(a) The defendant is an aggravated offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to another person;

(5) A class C felony if:

(a) The defendant is a chronic offender;

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause serious physical injury to a law enforcement officer or emergency personnel; or

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause the death

of another person;

(6) A class B felony if:

(a) The defendant is a habitual offender; [or]

(b) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of a law enforcement officer or emergency personnel;

(c) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of any person not a passenger in the vehicle operated by the defendant, including the death of an individual that results from the defendant's vehicle leaving a highway, as defined in section 301.010, or the highway's right-of-way;

(d) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of two or more persons; or

(e) While driving while intoxicated, the defendant acts with criminal negligence to cause the death of any person while he or she has a blood alcohol content of at least eighteen-hundredths of one percent by weight of alcohol in such person's blood;

(7) A class A felony if the defendant [is a habitual offender as a result of being] **has previously been** found guilty of an [act described under paragraph (d) of subdivision (11) of section 577.001] **offense under paragraphs (a) to (e) of subdivision (6) of this subsection** and is found guilty of a subsequent violation of such [paragraph] **paragraphs**.

3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the offense of driving while intoxicated as a first offense shall not be granted a suspended imposition of sentence:

(1) Unless such person shall be placed on probation for a minimum of two years; or

(2) In a circuit where a DWI court or docket created under section 478.007 or other court-ordered treatment program is available, and where the offense was committed with fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the individual participates and successfully completes a program under such DWI court or docket or other court-ordered treatment program.

4. If a person is found guilty of a second or subsequent offense of driving while intoxicated, the court may order the person to submit to a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day as a condition of probation.

5. If a person is not granted a suspended imposition of sentence for the reasons described in subsection 3 of this section:

(1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than forty-eight hours;

(2) If the individual operated the vehicle with greater than twenty-hundredths of one percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than five days.

6. A person found guilty of the offense of driving while intoxicated:

(1) As a prior offender, persistent offender, aggravated offender, chronic offender, or habitual offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the contrary notwithstanding;

(2) As a prior offender shall not be granted parole or probation until he or she has served a minimum of ten days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least thirty days of community service under the supervision of the court;

(3) As a persistent offender shall not be eligible for parole or probation until he or she has served a minimum of thirty days imprisonment:

(a) Unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service; or

(b) The offender participates in and successfully completes a program established under section 478.007 or other court-ordered treatment program, if available, and as part of either program, the offender performs at least sixty days of community service under the supervision of the court;

(4) As an aggravated offender shall not be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment;

(5) As a chronic or habitual offender shall not be eligible for parole or probation until he or she has served a minimum of two years imprisonment; and

(6) Any probation or parole granted under this subsection may include a period of continuous alcohol monitoring or verifiable breath alcohol testing performed a minimum of four times per day.

577.011. 1. This section shall be known and may be cited as “Toby’s Law”.

2. In addition to other terms and conditions imposed on a person who has been found guilty of driving while intoxicated under section 577.010, such person shall complete a victim impact program approved by the court. Attendance in such program shall be in person unless there are extraordinary circumstances preventing in-person attendance. Such person shall be responsible for any charges imposed by the victim impact program.

577.037. 1. Upon the trial of any person for any criminal offense or violations of county or municipal ordinances, or in any license suspension or revocation proceeding pursuant to the provisions of chapter 302, arising out of acts alleged to have been committed by any person while operating a vehicle, vessel, or aircraft, or acting as a flight crew member of any aircraft, while in an intoxicated condition or with an excessive blood alcohol content, the amount of alcohol in the person’s blood at the time of the act, as shown by any chemical analysis of the person’s blood, breath, saliva, or urine, is

admissible in evidence and the provisions of subdivision (5) of section 491.060 shall not prevent the admissibility or introduction of such evidence if otherwise admissible.

2. If a chemical analysis of the defendant's breath, blood, saliva, or urine demonstrates there was eight-hundredths of one percent or more by weight of alcohol in the person's blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen was taken. If a chemical analysis of the defendant's breath, blood, saliva, or urine demonstrates that there was less than eight-hundredths of one percent of alcohol in the defendant's blood, any charge alleging a criminal offense related to the operation of a vehicle, vessel, or aircraft while in an intoxicated condition shall be dismissed with prejudice unless one or more of the following considerations cause the court to find a dismissal unwarranted:

(1) There is evidence that the chemical analysis is unreliable as evidence of the defendant's intoxication at the time of the alleged violation due to the lapse of time between the alleged violation and the obtaining of the specimen;

(2) There is evidence that the defendant was under the influence of a controlled substance, or drug, or a combination of either or both with or without alcohol; or

(3) There is substantial evidence of intoxication from physical observations of witnesses or admissions of the defendant.

3. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood or grams of alcohol per two hundred ten liters of breath.

4. The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question of whether the person was intoxicated.

5. A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise to the presumption or to have the effect provided for in subsection 2 of this section, shall have been performed as provided in sections 577.020 to 577.041 and in accordance with methods and standards approved by the state department of health and senior services.

6. For any criminal offense, violation of a county or municipal ordinance, or in any license suspension or revocation proceeding under the provisions of chapter 302 arising out of acts alleged to have been committed by any person while operating a vehicle, vessel, or aircraft, or acting as a flight crew member of any aircraft, while in an intoxicated condition or with an excessive blood alcohol content occurring on or between the dates of December 30, 2012, and April 4, 2014, notwithstanding any other provision of law or regulation, a relevant chemical analysis of a person's breath shall be admissible in all proceedings after the effective date of this section if the standard simulator solutions used to verify and calibrate evidential breath analyzers had a vapor concentration within five percent of the following values:

(1) One-tenth of one percent;

(2) Eight-hundredths of one percent; or

(3) Four-hundredths of one percent;

and otherwise were in accordance with methods and standards approved by the department of health and senior services. This provision is a procedural rule and applies to all actions in

progress whether commenced before or after the effective date of this section. Such chemical breath analysis shall be admissible in all proceedings after the effective date of this section even if the offense occurred before the effective date of this section.

7. It is the intent of the legislature to reverse, overturn, and abrogate earlier case law interpretations related to the admissibility of chemical breath analyses to include, but not be limited to, holdings in *Stiers v. Dir. of Revenue*, 477 S.W.3d 611, (Mo. 2016); and *Stiers v. Dir. of Revenue*, ED 101407, 2015 WL 343310 (Mo.App. E.D. Jan. 27, 2015).

577.060. 1. A person commits the offense of leaving the scene of an accident when:

(1) Being the operator of a vehicle or a vessel involved in an accident resulting in injury or death or damage to property of another person; and

(2) Having knowledge of such accident he or she leaves the place of the injury, damage or accident without stopping and giving the following information to the other party or to a law enforcement officer, or if no law enforcement officer is in the vicinity, then to the nearest law enforcement agency:

(a) His or her name;

(b) His or her residence, including city and street number;

(c) The registration or license number for his or her vehicle or vessel; and

(d) His or her operator's license number, if any.

2. For the purposes of this section, all law enforcement officers shall have jurisdiction, when invited by an injured person, to enter the premises of any privately owned property for the purpose of investigating an accident and performing all necessary duties regarding such accident.

3. The offense of leaving the scene of an accident is:

(1) A class A misdemeanor; [or]

(2) A class E felony if:

(a) Physical injury was caused to another party; or

(b) Damage in excess of one thousand dollars was caused to the property of another person; or

(c) The defendant has previously been found guilty of any offense in violation of this section; or committed in another jurisdiction which, if committed in this state, would be a violation of an offense of this section; **or**

(3) A class D felony if a death has occurred as a result of the accident.

4. A law enforcement officer who investigates or receives information of an accident involving an all-terrain vehicle and also involving the loss of life or serious physical injury shall make a written report of the investigation or information received and such additional facts relating to the accident as may come to his or her knowledge, mail the information to the department of public safety, and keep a record thereof in his or her office.

5. The provisions of this section shall not apply to the operation of all-terrain vehicles when property damage is sustained in sanctioned all-terrain vehicle races, derbies and rallies.

589.664. 1. If an individual is a participant in the Address Confidentiality Program pursuant to section 589.663, no person or entity shall be compelled to disclose the participant's actual address during the discovery phase of or during a proceeding before a court or other tribunal unless the court or tribunal first finds, on the record, that:

(1) There is a reasonable belief that the address is needed to obtain information or evidence without which the investigation, prosecution, or litigation cannot proceed; and

(2) There is no other practicable way of obtaining the information or evidence.

2. The court must first provide the program participant and the secretary of state notice that address disclosure is sought.

3. The program participant shall have an opportunity to present evidence regarding the potential harm to the safety of the program participant if the address is disclosed. In determining whether to compel disclosure, the court must consider whether the potential harm to the safety of the participant is outweighed by the interest in disclosure.

4. Notwithstanding any other provision in law, no court shall order an individual who has had his or her application accepted by the secretary to disclose his or her actual address or location of his or her residence without giving the secretary proper notice. The secretary shall have the right to intervene in any civil proceeding in which a court is considering a participant to disclose their actual address.

5. Disclosure of a participant's actual address under this section shall be limited under the terms of the order to ensure that the disclosure and dissemination of the actual address will be no wider than necessary for the purposes of the investigation, prosecution, or litigation.

6. Nothing in this section prevents the court or other tribunal from issuing a protective order to prevent disclosure of information other than the participant's actual address that could reasonably lead to the discovery of the program participant's location.

589.675. If the secretary deems it appropriate, the secretary [shall] **may make a program participant's address and mailing address available for inspection or copying [under the following circumstances:**

(1)] to a person identified in a court order, upon the secretary's receipt of such court order that **complies with section 559.664 [specifically orders the disclosure of a particular program participant's address and mailing address and the reasons stated for the disclosure; or**

(2) If the certification has been cancelled because the applicant or program participant violated subdivision (2) of section 589.663].

595.045. 1. There is established in the state treasury the "Crime Victims' Compensation Fund". A surcharge of seven dollars and fifty cents shall be assessed as costs in each court proceeding filed in any court in the state in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of seven dollars and fifty cents shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of

subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law to the contrary, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020 and shall be payable to the director of the department of revenue.

3. The director of revenue shall deposit annually the amount of two hundred fifty thousand dollars to the state forensic laboratory account administered by the department of public safety to provide financial assistance to defray expenses of crime laboratories if such analytical laboratories are registered with the federal Drug Enforcement Agency or the Missouri department of health and senior services. Subject to appropriations made therefor, such funds shall be distributed by the department of public safety to the crime laboratories serving the courts of this state making analysis of a controlled substance or analysis of blood, breath or urine in relation to a court proceeding.

4. The remaining funds collected under subsection 1 of this section shall be denoted to the payment of an annual appropriation for the administrative and operational costs of the office for victims of crime and, if a statewide automated crime victim notification system is established pursuant to section 650.310, to the monthly payment of expenditures actually incurred in the operation of such system. Additional remaining funds shall be subject to the following provisions:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on September 1, 2004, and on the first of each month, the director of revenue or the director's designee shall deposit fifty percent of the balance of funds available to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section 595.100.

5. The director of revenue or such director's designee shall at least monthly report the moneys paid pursuant to this section into the crime victims' compensation fund and the services to victims fund to the department of public safety.

6. The moneys collected by clerks of municipal courts pursuant to subsection 1 of this section shall be collected and disbursed as provided by sections 488.010 to 488.020. Five percent of such moneys shall be payable to the city treasury of the city from which such funds were collected. The remaining ninety-five percent of such moneys shall be payable to the director of revenue. The funds received by the director of revenue pursuant to this subsection shall be distributed as follows:

(1) On the first of every month, the director of revenue or the director's designee shall determine the balance of the funds in the crime victims' compensation fund available to satisfy the amount of compensation payable pursuant to sections 595.010 to 595.075, excluding sections 595.050 and 595.055;

(2) Beginning on September 1, 2004, and on the first of each month the director of revenue or the director's designee shall deposit fifty percent of the balance of funds available to the credit of the crime victims' compensation fund and fifty percent to the services to victims' fund established in section

595.100.

7. These funds shall be subject to a biennial audit by the Missouri state auditor. Such audit shall include all records associated with crime victims' compensation funds collected, held or disbursed by any state agency.

8. In addition to the moneys collected pursuant to subsection 1 of this section, the court shall enter a judgment in favor of the state of Missouri, payable to the crime victims' compensation fund, of sixty-eight dollars upon a plea of guilty or a finding of guilt for a class A or B felony; forty-six dollars upon a plea of guilty or finding of guilt for a class C [or], D, **or** E felony; and ten dollars upon a plea of guilty or a finding of guilt for any misdemeanor under Missouri law except for those in chapter 252 relating to fish and game, chapter 302 relating to drivers' and commercial drivers' license, chapter 303 relating to motor vehicle financial responsibility, chapter 304 relating to traffic regulations, chapter 306 relating to watercraft regulation and licensing, and chapter 307 relating to vehicle equipment regulations. Any clerk of the court receiving moneys pursuant to such judgments shall collect and disburse such crime victims' compensation judgments in the manner provided by sections 488.010 to 488.020. Such funds shall be payable to the state treasury and deposited to the credit of the crime victims' compensation fund.

9. The clerk of the court processing such funds shall maintain records of all dispositions described in subsection 1 of this section and all dispositions where a judgment has been entered against a defendant in favor of the state of Missouri in accordance with this section; all payments made on judgments for alcohol-related traffic offenses; and any judgment or portion of a judgment entered but not collected. These records shall be subject to audit by the state auditor. The clerk of each court transmitting such funds shall report separately the amount of dollars collected on judgments entered for alcohol-related traffic offenses from other crime victims' compensation collections or services to victims collections.

10. The department of revenue shall maintain records of funds transmitted to the crime victims' compensation fund by each reporting court and collections pursuant to subsection 16 of this section and shall maintain separate records of collection for alcohol-related offenses.

11. The state courts administrator shall include in the annual report required by section 476.350 the circuit court caseloads and the number of crime victims' compensation judgments entered.

12. All awards made to injured victims under sections 595.010 to 595.105 and all appropriations for administration of sections 595.010 to 595.105, except sections 595.050 and 595.055, shall be made from the crime victims' compensation fund. Any unexpended balance remaining in the crime victims' compensation fund at the end of each biennium shall not be subject to the provision of section 33.080 requiring the transfer of such unexpended balance to the ordinary revenue fund of the state, but shall remain in the crime victims' compensation fund. In the event that there are insufficient funds in the crime victims' compensation fund to pay all claims in full, all claims shall be paid on a pro rata basis. If there are no funds in the crime victims' compensation fund, then no claim shall be paid until funds have again accumulated in the crime victims' compensation fund. When sufficient funds become available from the fund, awards which have not been paid shall be paid in chronological order with the oldest paid first. In the event an award was to be paid in installments and some remaining installments have not been paid due to a lack of funds, then when funds do become available that award shall be paid in full. All such awards on which installments remain due shall be paid in full in chronological order before any other postdated award shall be paid. Any award pursuant to this subsection is specifically not a claim

against the state, if it cannot be paid due to a lack of funds in the crime victims' compensation fund.

13. When judgment is entered against a defendant as provided in this section and such sum, or any part thereof, remains unpaid, there shall be withheld from any disbursement, payment, benefit, compensation, salary, or other transfer of money from the state of Missouri to such defendant an amount equal to the unpaid amount of such judgment. Such amount shall be paid forthwith to the crime victims' compensation fund and satisfaction of such judgment shall be entered on the court record. Under no circumstances shall the general revenue fund be used to reimburse court costs or pay for such judgment. The director of the department of corrections shall have the authority to pay into the crime victims' compensation fund from an offender's compensation or account the amount owed by the offender to the crime victims' compensation fund, provided that the offender has failed to pay the amount owed to the fund prior to entering a correctional facility of the department of corrections.

14. All interest earned as a result of investing funds in the crime victims' compensation fund shall be paid into the crime victims' compensation fund and not into the general revenue of this state.

15. Any person who knowingly makes a fraudulent claim or false statement in connection with any claim hereunder is guilty of a class A misdemeanor.

16. The department may receive gifts and contributions for the benefit of crime victims. Such gifts and contributions shall be credited to the crime victims' compensation fund as used solely for compensating victims under the provisions of sections 595.010 to 595.075.

595.219. 1. In addition to the court's authority to order a defendant to make restitution for the damage or loss caused by his or her offense as provided in section 559.105, the court may enter a judgment of restitution against the offenders convicted of official misconduct in the first or second degrees pursuant to the provisions of this section.

2. The court may order the defendant to make restitution to:

(1) The victim;

(2) Any governmental entity; or

(3) A third-party payor, including an insurer that has made payment to the victim to compensate the victim for a property loss or a pecuniary loss.

3. Restitution payments to the victim have priority over restitution payments to a third-party payor. If the victim has been compensated for the victim's loss by a third-party payor, the court may order restitution payments to the third-party payor in the amount that the third-party payor compensated the victim.

4. Payment of restitution to a victim under this section has priority over payment of restitution to any governmental entity.

5. A restitution hearing to determine the liability of the defendant shall be held not later than thirty days after final disposition of the case and may be extended by the court for good cause. In the restitution hearing, a written statement or bill for medical, dental, hospital, funeral, or burial expenses shall be prima facie evidence that the amount indicated on the written statement or bill represents a fair and reasonable charge for the services or materials provided. The burden of proving that the amount indicated on the written statement or bill is not fair and reasonable shall

be on the person challenging the fairness and reasonableness of the amount.

6. A judgment of restitution against a defendant may not be entered unless the defendant has been afforded a reasonable opportunity to be heard and to present appropriate evidence in his or her behalf. The defendant shall be advised of his or her right to obtain counsel for representation at the hearing. A hearing under this section may be held as part of a final disposition hearing for the case.

7. The judgment may be enforced in the same manner as enforcing monetary judgments by the prosecuting attorney on behalf of the victim.

8. A judgment of restitution ordered pursuant to this section against a defendant shall not be a bar to a proceeding against the defendant pursuant to section 537.045 or section 8.150 for the balance of the damages not paid pursuant to this section.

650.520. 1. There is hereby created a statewide program called the “Blue Alert System” referred to in this section as the “system” to aid in the identification, location, and apprehension of any individual or individuals suspected of killing or seriously wounding any local, state, or federal law enforcement officer.

2. For the purposes of this section, “law enforcement officer” means any public servant having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States.

3. The department of public safety shall develop regions to provide the system. The department of public safety shall coordinate local law enforcement agencies and public commercial television and radio broadcasters to provide an effective system. In the event that a local law enforcement agency opts not to set up a system and a killing or serious wounding of a law enforcement officer occurs within the jurisdiction, it shall notify the department of public safety who will notify local media in the region.

4. The blue alert system shall include all state agencies capable of providing urgent and timely information to the public together with broadcasters and other private entities that volunteer to participate in the dissemination of urgent public information. At a minimum, the blue alert system shall include the department of public safety, highway patrol, department of transportation, and Missouri lottery.

5. The department of public safety shall have the authority to develop, implement, and manage the blue alert system.

6. Participation in the blue alert system is entirely at the option of local law enforcement agencies, federally licensed radio and television broadcasters, and other private entities that volunteer to participate in the dissemination of urgent public information.

7. Any person who knowingly makes a false report that triggers an alert pursuant to this section is guilty of a class A misdemeanor.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend Senate Committee Substitute No. 2 for Senate Bill No. 128, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“105.713. 1. By no later than September 30, 2017, and the last day of each calendar month thereafter, the attorney general and the commissioner of administration shall submit a report to the general assembly detailing all settlements, judgments, and attorneys’ fees paid in the previous month from the state legal expense fund, including:

(1) Each individual payment from such fund, delineated by payee, which shall include the case name and number of any settlement payments from such fund;

(2) Each individual deposit to such fund, including:

(a) The transferring state fund’s name and section number authorizing the transfer of such funds; and

(b) The case name and case number that correspond to any expenses authorized under section 105.711 for which the deposit is being made; and

(3) The total amount of expenses from such fund’s creation for each case included in the report.

2. In cases concerning the legal expenses incurred by the department of transportation, department of conservation, or a public institution that awards baccalaureate degrees, the report required under subsection 1 of this section shall be submitted by the legal counsel provided by the respective entity and by the designated keeper of accounts of the respective entity.

105.714. Any person who obtains a claim or final judgment for a payment to be made out of the state legal expense fund under this section shall not be offered or required to sign any confidentiality agreement stating he or she will not discuss his or her claim or final judgment, or if he or she does discuss such claim or final judgment, he or she will waive any right to moneys obtained under this section. If a confidentiality agreement is offered to a person in violation of this subsection and such agreement is signed, such signed agreement shall be unenforceable.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 3

Amend House Amendment No. to Senate Committee Substitute No. 2 for Senate Bill No. 128, Page 1, Line 6, deleting all of said line and inserting in lieu thereof the following:

“94999] 491 S.W.3d 535 (Mo. banc 2016) prior to August 28 [2017]2018.

456.1-103. In sections 456.1-101 to 456.11-1106:

(1) “Action,” with respect to an act of a trustee, includes a failure to act;

(2) “Ascertainable standard” means a standard relating to an individual’s health, education, support, or maintenance within the meaning of Section 2041(b)(1)(A) or Section 2541(c)(1) of the Internal

Revenue Code;

(3) “Beneficiary” means a person that:

(a) has a present or future beneficial interest in a trust, vested or contingent; or

(b) in a capacity other than that of trustee, holds a power of appointment over trust property;

(4) “Charitable trust” means a trust, or portion of a trust, created for a charitable purpose described in subsection 1 of section 456.4-405;

(5) “Conservator” means a person described in subdivision (3) of section 475.010. This term does not include a conservator ad litem;

(6) “Conservator ad litem” means a person appointed by the court pursuant to the provisions of section 475.097;

(7) **“Directed trust”, means any trust, including a split interest trust, where the trust instrument authorizes a trust protector to instruct or direct the trustee or that charges a trust protector with any responsibilities regarding the trust or that grants the trust protector one or more powers over the trust;**

(8) “Environmental law” means a federal, state, or local law, rule, regulation, or ordinance relating to protection of the environment;

[(8)] (9) “Financial institution” means a non-foreign bank, savings and loan or trust company chartered, regulated and supervised by the Missouri division of finance, the office of the comptroller of the currency, the office of thrift supervision, the National Credit Union Administration, or the Missouri division of credit union supervision. The term “non-foreign bank” shall mean a bank that is not a foreign bank within the meaning of subdivision (1) of section 361.005;

[(9)] (10) “Guardian” means a person described in subdivision (7) of section 475.010. The term does not include a guardian ad litem;

[(10)] (11) “Interested persons” include beneficiaries and any others having a property right in or claim against a trust estate which may be affected by a judicial proceeding. It also includes fiduciaries and other persons representing interested persons. The meaning as it relates to particular persons may vary from time to time and must be determined according to the particular purposes of, and matter involved in, any proceeding;

[(11)] (12) “Interests of the beneficiaries” means the beneficial interests provided in the terms of the trust;

[(12)] (13) “Internal Revenue Code” means the United States Internal Revenue Code of 1986, as in effect on January 1, 2005, or as later amended;

[(13)] (14) “Jurisdiction,” with respect to a geographic area, includes a state or country;

[(14)] (15) “Person” means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency, or instrumentality; public corporation, or any other legal or commercial entity;

[(15)] (16) “Permissible distributee” means a beneficiary who is currently eligible to receive

distributions of trust income or principal, whether mandatory or discretionary;

[(16)] (17) “Power of withdrawal” means a presently exercisable power of a beneficiary to withdraw assets from the trust without the consent of the trustee or any other person;

[(17)] (18) “Principal place of administration” of a trust is the trustee’s usual place of business where the records pertaining to the trust are kept, or the trustee’s residence if the trustee has no such place of business, unless otherwise designated by the terms of the trust as provided in section 456.1-108. In the case of cotrustees, the principal place of administration is, in the following order of priority:

(a) The usual place of business of the corporate trustee if there is but one corporate cotrustee;

(b) The usual place of business or residence of the trustee who is a professional fiduciary if there is but one such trustee and no corporate cotrustee; or

(c) The usual place of business or residence of any of the cotrustees;

[(18)] (19) “Professional fiduciary” means an individual who represents himself or herself to the public as having specialized training, experience or skills in the administration of trusts;

[(19)] (20) “Property” means anything that may be the subject of ownership, whether real or personal, legal or equitable, or any interest therein;

[(20)] (21) “Qualified beneficiary” means a beneficiary who, on the date the beneficiary’s qualification is determined:

(a) is a permissible distributee;

(b) would be a permissible distributee if the interests of the permissible distributees described in paragraph (a) of this subdivision terminated on that date; or

(c) would be a permissible distributee if the trust terminated on that date;

[(21)] (22) “Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

[(22)] (23) “Revocable,” as applied to a trust, means that the settlor has the legal power to revoke the trust without the consent of the trustee or a person holding an adverse interest, regardless of whether the settlor has the mental capacity to do so in fact;

[(23)] (24) “Settlor” means a person, including a testator, who creates, or contributes property to, a trust. If more than one person creates or contributes property to a trust, each person is a settlor of the portion of the trust property attributable to that person’s contribution except to the extent another person has the power to revoke or withdraw that portion pursuant to the terms of the trust;

[(24)] (25) “Sign” means, with present intent to authenticate or adopt a record:

(a) to execute or adopt a tangible symbol; or

(b) to attach to or logically associate with the record an electronic sound, symbol, or process;

[(25)] (26) “Spendthrift provision” means a term of a trust which restrains either the voluntary or involuntary transfer or both the voluntary and involuntary transfer of a beneficiary’s interest;

[(26)] (27) “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. The term includes an Indian tribe or band recognized by federal law or formally acknowledged by a state;

[(27)] (28) “Terms of a trust” means the manifestation of the settlor’s intent regarding a trust’s provisions as expressed in the trust instrument or as may be established by other evidence that would be admissible in a judicial proceeding;

[(28)] (29) “Trust instrument” means an instrument executed by the settlor that contains terms of the trust, including any amendments thereto;

[(29)] (30) **“Trust protector”, means any person, group of persons or entity not serving as a trustee and not the settlor or a beneficiary, designated in a trust instrument to instruct or direct the trustee or charged in the trust instrument with any responsibilities regarding the trust or expressly granted in the trust instrument one or more powers over the trust. The term “trust protector” includes but is not limited to persons or entities identified in the trust instrument as trust advisors, trust directors, distribution advisors, or investment advisors;**

(31) “Trustee” includes an original, additional, and successor trustee, and a cotrustee.”; and

456.4-420. 1. If a trust instrument containing a no-contest clause is or has become irrevocable, an interested person may file a petition to the court for an interlocutory determination whether a particular motion, petition, or other claim for relief by the interested person would trigger application of the no-contest clause or would otherwise trigger a forfeiture that is enforceable under applicable law and public policy.

2. The petition described in subsection 1 of this section shall be verified under oath. The petition may be filed by an interested person either as a separate judicial proceeding, or brought with other claims for relief in a single judicial proceeding, all in the manner prescribed generally for such proceedings under this chapter. If a petition is joined with other claims for relief, the court shall enter its order or judgment on the petition before proceeding any further with any other claim for relief joined therein. In ruling on such a petition, the court shall consider the text of the clause, the context to the terms of the trust instrument as a whole, and in the context of the verified factual allegations in the petition. No evidence beyond the pleadings and the trust instrument shall be taken except as required to resolve an ambiguity in the no-contest clause.

3. An order or judgment determining a petition described in subsection 1 of this section shall have the effect set forth in subsections 4 and 5 of this section, and shall be subject to appeal as with other final judgments. If the order disposes of fewer than all claims for relief in a judicial proceeding, that order is subject to interlocutory appeal in accordance with the applicable rules for taking such an appeal. If an interlocutory appeal is taken, the court may stay the pending judicial proceeding until final disposition of said appeal on such terms and conditions as the court deems reasonable and proper under the circumstances. A final ruling on the applicability of a no-contest clause shall not preclude any later filing and adjudication of other claims related to the trust.

4. An order or judgment, in whole or in part, on a petition described in subsection 1 of this section shall result in the no-contest clause being enforceable to the extent of the court’s ruling, and shall

govern application of the no-contest clause to the extent that the interested person then proceeds forward with the claims described therein. In the event such an interlocutory order or judgment is vacated, reversed, or otherwise modified on appeal, no interested person shall be prejudiced by any reliance, through action, inaction, or otherwise, on the order or judgment prior to final disposition of the appeal.

5. An order or judgment shall have effect only as to the specific trust terms and factual basis recited in the petition. If claims are later filed that are materially different than those upon which the order or judgment is based, then to the extent such new claims are raised, the party in whose favor the order or judgment was entered shall have no protection from enforcement of the no-contest clause otherwise afforded by the order and judgment entered under this section.

6. For purposes of this section, a “no-contest clause” shall mean a provision in a trust instrument purporting to rescind a donative transfer to, or a fiduciary appointment of, any person, or that otherwise effects a forfeiture of some or all of an interested person’s beneficial interest in a trust estate as a result of some action taken by the beneficiary. This definition shall not be construed in any way as determining whether a no-contest clause is enforceable under applicable law and public policy in a particular factual situation. As used in this section, the term “no-contest clause” shall also mean an “in terrorem clause”.

7. A no-contest clause is not enforceable against an interested person in, but not limited to, the following circumstances:

(1) Filing a motion, petition, or other claim for relief objecting to the jurisdiction or venue of the court over a proceeding concerning a trust, or over any person joined, or attempted to be joined, in such a proceeding;

(2) Filing a motion, petition, or other claim for relief concerning an accounting, report, or notice that has or should have been made by a trustee, provided the interested person otherwise has standing to do so under applicable law, including, but not limited to, section 456.6-603;

(3) Filing a motion, petition, or other claim for relief under chapter 475 concerning the appointment of a guardian or conservator for the settlor;

(4) Filing a motion, petition, or other claim for relief under chapter 404 concerning the settlor;

(5) Disclosure to any person of information concerning a trust instrument or that is relevant to a proceeding before the court concerning the trust instrument or property of the trust estate, unless such disclosure is otherwise prohibited by law;

(6) Filing a motion, pleading, or other claim for relief seeking approval of a nonjudicial settlement agreement concerning a trust instrument, as set forth in section 456.1-111;

(7) Filing a motion, pleading, or other claim for relief concerning a breach of trust by a trustee including, but not limited to, a claim under section 456.10-1001. For purposes of this subdivision, “breach of trust” means a trustee’s violation of the terms of a trust instrument, a violation of the trustee’s general fiduciary obligations, or a trustee’s violation of a duty that equity imposes on a trustee;

(8) Filing a motion, pleading, or other claim for relief concerning removal of a trustee including, but not limited to, a claim for removal under section 456.7-706;

(9) To the extent a petition under subsection 1 of this section is limited to the procedure and purpose described therein.

8. In any proceeding brought under this section, the court may award costs, expenses, and attorneys' fees to any party, as provided in section 456.10-1004.

456.8-808. 1. While a trust is revocable, the trustee may follow a direction of the settlor that is contrary to the terms of the trust.

2. A trust instrument may provide for [the appointment of a trust protector. For purposes of this section, a "trust protector", whether referred to in the trust instrument by that name or by some other name, is a person, other than the settlor, a trustee, or a beneficiary, who is expressly granted in the trust instrument one or more powers over the trust] **one or more persons, not then serving as a trustee and not the settlor or a beneficiary, to be given any powers over the trust as expressly granted in the trust instrument. Any such person may be identified and appointed as a trust protector or similar term. Whenever a trust instrument names, appoints, authorizes, or otherwise designates a trust protector, the trust shall be deemed a directed trust.**

3. A trust protector appointed in the trust instrument shall have only the powers granted to the trust protector by the express terms of the trust instrument, and a trust protector is only authorized to act within the scope of the authority expressly granted in the trust instrument. Without limiting the authority of the settlor to grant powers to a trust protector, the express powers that may be granted include, but are not limited to, the following:

(1) Remove and appoint a trustee **or a trust protector** or name a successor trustee or trust protector;

(2) Modify or amend the trust instrument to:

(a) Achieve favorable tax status or respond to changes in the Internal Revenue Code or state law, or the rulings and regulations under such code or law;

(b) Reflect legal changes that affect trust administration;

(c) Correct errors or ambiguities that might otherwise require court construction; or

(d) Correct a drafting error that defeats a grantor's intent;

(3) Increase, decrease, modify, or restrict the interests of the beneficiary or beneficiaries of the trust;

(4) Terminate the trust in favor of the beneficiary or beneficiaries of the trust;

(5) Change the applicable law governing the trust and the trust situs; or

(6) Such other powers as are expressly granted to the trust protector in the trust instrument.

4. Notwithstanding any provision in the trust instrument to the contrary, a trust protector shall have no power to modify a trust to:

(1) Remove a requirement from a trust created to meet the requirements of 42 U.S.C. Section 1396p(d)(4) to pay back a governmental entity for benefits provided to the permissible beneficiary of the trust at the death of that beneficiary; or

(2) Reduce or eliminate an income interest of the income beneficiary of any of the following types

of trusts:

(a) A trust for which a marital deduction has been taken for federal tax purposes under Section 2056 or 2523 of the Internal Revenue Code or for state tax purposes under any comparable provision of applicable state law, during the life of the settlor's spouse;

(b) A charitable remainder trust under Section 664 of the Internal Revenue Code, during the life of the noncharitable beneficiary;

(c) A grantor retained annuity trust under Section 2702 of the Internal Revenue Code, during any period in which the settlor is a beneficiary; or

(d) A trust for which an election as a qualified Sub-Chapter S Trust under Section 1361(d) of the Internal Revenue Code is currently in place.

5. Except to the extent otherwise provided in a trust instrument specifically referring to this subsection, the trust protector shall not exercise a power in a way that would result in a taxable gift for federal gift tax purposes or cause the inclusion of any assets of the trust in the trust protector's gross estate for federal estate tax purposes.

6. Except to the extent otherwise provided in the trust instrument and in subsection 7 of this section, and notwithstanding any provision of sections 456.1-101 to 456.11-1106 to the contrary:

(1) A trust protector shall act in a fiduciary capacity in carrying out the powers granted to the trust protector in the trust instrument, and shall have such duties to the beneficiaries, the settlor, or the trust as set forth in the trust instrument; **provided, however, that the trust instrument may provide that the trust protector shall act in a nonfiduciary capacity.** A trust protector is not a trustee, and is not liable or accountable as a trustee when performing or declining to perform the express powers given to the trust protector in the trust instrument. A trust protector is not liable for the acts or omissions of any fiduciary or beneficiary under the trust instrument;

(2) A trust protector is exonerated from any and all liability for the trust protector's acts or omissions, or arising from any exercise or nonexercise of the powers expressly conferred on the trust protector in the trust instrument, unless it is established by a preponderance of the evidence that the acts or omissions of the trust protector were done or omitted in breach of the trust protector's duty, in bad faith or with reckless indifference;

(3) A trust protector is authorized to exercise the express powers granted in the trust instrument at any time and from time to time after the trust protector acquires knowledge of their appointment as trust protector and of the powers granted. **The trust protector may take any action, judicial or otherwise, necessary to carry out the duties given to the trust protector in the trust instrument;**

(4) A trust protector is entitled to receive, from the assets of the trust for which the trust protector is acting, reasonable compensation, and reimbursement of the reasonable costs and expenses incurred, in determining whether to carry out, and in carrying out, the express powers given to the trust protector in the trust instrument;

(5) A trust protector is entitled to receive, from the assets of the trust for which the trust protector is acting, reimbursement of the reasonable costs and expenses, including attorney's fees, of defending any claim made against the trust protector arising from the acts or omissions of the trust protector acting in

that capacity unless it is established by clear and convincing evidence that the trust protector was acting in bad faith or with reckless indifference; and

(6) The express powers granted in the trust instrument shall not be exercised by the trust protector for the trust protector's own personal benefit.

7. If a trust protector is granted a power in the trust instrument to direct, consent to, or disapprove a trustee's actual or proposed investment decision, distribution decision, or other decision of the trustee required to be performed under applicable trust law in carrying out the duties of the trustee in administering the trust, then only with respect to such power, excluding the powers identified in subsection 3 of this section, the trust protector shall have the same duties and liabilities as if serving as a trustee under the trust instrument **unless the trust instrument expressly provides otherwise. In carrying out any written directions given to the trustee by the trust protector concerning actual or proposed investment decisions, the trustee shall not be subject to the provisions of sections 469.900 to 469.913. For purposes of this subsection, "investment decisions" means, with respect to any investment, decisions to retain, purchase, sell, exchange, tender, or otherwise engage in transactions affecting the ownership of investments or rights therein, and, with respect to nonpublicly traded investments, the valuation thereof.**

8. **Any trustee of a directed trust shall not be accountable under the law or equity for any act or omission of a trust protector and shall stand absolved from liability for executing the decisions or instructions from a trust protector, or for monitoring the actions or inactions of a trust protector. A trustee shall take reasonable steps to facilitate the activity of a trust protector in a directed trust.** A trustee shall carry out the written directions given to the trustee by a trust protector acting within the scope of the powers expressly granted to the trust protector in the trust instrument. Except [in cases of bad faith or reckless indifference on the part of the trustee, or] as otherwise provided in the trust instrument, the trustee shall not be liable for any loss resulting directly or indirectly from any act taken or omitted as a result of the written direction of the trust protector or the failure of the trust protector to provide consent. Except as otherwise provided in the trust instrument, the trustee shall have no duty to monitor the conduct of the trust protector, provide advice to or consult with the trust protector, or communicate with or warn or apprise any beneficiary concerning instances in which the trustee would or might have exercised the trustee's own discretion in a manner different from the manner directed by the trust protector. **Except as otherwise provided in the trust instrument, any actions taken by the trustee at the trust protector's direction shall be deemed to be administrative actions taken by the trustee solely to allow the trustee to carry out the instructions of the trust protector, and shall not be deemed to constitute an act by the trustee to monitor the trust protector or otherwise participate in actions within the scope of the trust protector's authority.**

9. Except to the extent otherwise expressly provided in the trust instrument, the trust protector shall be entitled to receive information regarding the administration of the trust as follows:

(1) Upon the request of the trust protector, unless unreasonable under the circumstances, the trustee shall promptly provide to the trust protector any and all information related to the trust that may relate to the exercise or nonexercise of a power expressly granted to the trust protector in the trust instrument. The trustee has no obligation to provide any information to the trust protector except to the extent a trust protector requests information under this section;

(2) The request of the trust protector for information under this section shall be with respect to a single trust that is sufficiently identified to enable the trustee to locate the records of the trust; and

(3) If the trustee is bound by any confidentiality restrictions with respect to an asset of a trust, a trust protector who requests information under this section about such asset shall agree to be bound by the confidentiality restrictions that bind the trustee before receiving such information from the trustee.

10. A trust protector may resign by giving thirty days' written notice to the trustee and any successor trust protector. A successor trust protector, if any, shall have all the powers expressly granted in the trust instrument to the resigning trust protector unless such powers are expressly modified for the successor trust protector.

11. A trust protector of a trust having its principal place of administration in this state submits personally to the jurisdiction of the courts of this state during any period that the principal place of administration of the trust is located in this state and the trust protector is serving in such capacity. **The trust instrument may also provide that a trust protector is subject to the personal jurisdiction of the courts of this state as a condition of appointment.**”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2 TO HOUSE AMENDMENT NO. 3

Amend House Amendment No. to Senate Committee Substitute No. 2 for Senate Bill No. 128, Page 1, Line 6, by inserting immediately after said line the following:

“Further amend said bill and page, Section 478.463, Line 9, by inserting immediately after said section and line the following:

“589.660. As used in sections 589.660 to 589.681, the following terms mean:

(1) “Address”, a residential street address, school address, or work address of a person, as specified on the person’s application to be a program participant;

(2) “Application assistant”, an employee of a state or local agency, or of a nonprofit program that provides counseling, referral, shelter, or other specialized service to **crime** victims [of domestic violence, rape, sexual assault, human trafficking, or stalking,] who has been designated by the respective agency or program, and who has been trained and registered by the secretary of state to assist individuals in the completion of program participation applications;

(3) “Designated address”, the address assigned to a program participant by the secretary;

(4) “Mailing address”, an address that is recognized for delivery by the United States Postal Service;

(5) “Program”, the address confidentiality program established in section 589.663;

(6) “Program participant”, a person certified by the secretary of state as eligible to participate in the address confidentiality program;

(7) “Secretary”, the secretary of state;

(8) “Victim”, a natural person who suffers direct or threatened physical, emotional, or

financial harm as the result of the commission or attempted commission of an offense. The term “victim” also includes family members of the victim who are minors or incapacitated; or a family member of a homicide victim;

(9) “Witness”, any victim who has been or is expected to be summoned to testify for the prosecution in any felony proceeding regardless of whether any action or proceeding has yet been commenced.

589.663. There is created in the office of the secretary of state a program to be known as the “Address Confidentiality Program” to protect victims [of domestic violence, rape, sexual assault, human trafficking, or stalking], **individuals residing in the same household of a victim, and witnesses** by authorizing the use of designated addresses for such [victims and their minor children] **individuals**. The program shall be administered by the secretary under the following application and certification procedures:

(1) An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person may apply to the secretary to have a designated address assigned by the secretary to serve as the person’s address or the address of the minor or incapacitated person;

(2) The secretary may approve an application only if it is filed with the office of the secretary in the manner established by rule and on a form prescribed by the secretary. A completed application shall contain:

(a) The application preparation date, the applicant’s signature, and the signature and registration number of the application assistant who assisted the applicant in applying to be a program participant;

(b) A designation of the secretary as agent for purposes of service of process and for receipt of first-class mail, legal documents, and certified mail;

(c) [A sworn statement by the applicant that the applicant] **Either an application signed by the applicant before an application assistant that the applicant** has good reason to believe that he or she:

a. Is a victim [of domestic violence, rape, sexual assault, human trafficking, or stalking]; and

b. Fears [further violent acts from his or her assailant] **future harm; or**

(c) Has been certified by a prosecuting attorney that the individual is a witness;

(d) The mailing address where the applicant may be contacted by the secretary or a designee and the telephone number or numbers where the applicant may be called by the secretary or the secretary’s designee; and

(e) One or more addresses that the applicant requests not be disclosed for the reason that disclosure will jeopardize the applicant’s safety or increase the risk of violence to the applicant or members of the applicant’s household;

(3) Upon receipt of a properly completed application, the secretary may certify the applicant as a program participant. A program participant is certified for four years following the date of initial certification unless the certification is withdrawn or cancelled before that date. The secretary shall send notification of lapsing certification and a reapplication form to a program participant at least four weeks prior to the expiration of the program participant’s certification;

(4) The secretary shall forward first class mail, legal documents, and certified mail to the appropriate program participants.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend Senate Committee Substitute No. 2 for Senate Bill No. 128, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“144.026. The director of revenue shall not send notice to any taxpayer under subsection 2 of section 144.021 regarding the decision in *IBM Corporation v. Director of Revenue*, [Case No. 94999] **491 S.W.3d 535** (Mo. banc 2016) prior to August 28, [2017] **2018**.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO HOUSE AMENDMENT NO. 4

Amend House Amendment No. 4 to Senate Committee Substitute No. 2 for Senate Bill No. 128, Page 1, Line 22, by deleting all of said line and inserting in lieu thereof the following:

“provided in subsection 1 of this section].

570.095. 1. A person commits the offense of filing false documents if:

(1) With the intent to defraud, deceive, harass, alarm, or negatively impact financially, or in such a manner reasonably calculated to deceive, defraud, harass, alarm, or negatively impact financially, he or she files, causes to be filed or recorded, or attempts to file or record, creates, uses as genuine, transfers or has transferred, presents, or prepares with knowledge or belief that it will be filed, presented, recorded, or transferred to the secretary of state or his or her designee, or any county or independent city recorder of deeds or his or her designee, any municipal, county, district, or state government entity, division, agency, or office, or any credit bureau or financial institution any of the following types of documents:

- (a) Common law lien;**
- (b) Uniform commercial code filing or record;**
- (c) Real property recording;**
- (d) Financing statement;**
- (e) Contract;**
- (f) Warranty, special, or quitclaim deed;**
- (g) Quiet title claim or action;**
- (h) Deed in lieu of foreclosure;**
- (i) Legal affidavit;**

(j) Legal process;

(k) Legal summons;

(l) Bills and due bills;

(m) Criminal charging documents or materially false criminal charging documents;

(n) Any other document not stated in this subdivision that is related to real property; or

(o) Any state, county, district, federal, municipal, credit bureau, or financial institution form or document; and

(2) Such documents listed in subdivision (1) of this subsection contain materially false information, or are fraudulent, or are a forgery, as defined in section 570.090, or lack the consent of all parties listed in documents where mutual consent is required, or are invalid under Missouri law.

2. Filing false documents under this section is a class D felony for the first offense except under the following circumstances where filing false documents is a class C felony:

(1) The defendant has been previously found guilty or pleaded guilty to a violation of this section;

(2) The victim or named party in the matter:

(a) Is an official elected to municipal, county, district, federal, or statewide office;

(b) Is an official who was appointed to municipal, county, district, federal, or statewide office; or

(c) Is an employee of an official who has been elected or appointed to municipal, county, district, federal, or statewide office;

(3) The victim or named party in the matter is a judge or magistrate of:

(a) Any court or division of the court in this or any other state or an employee of any court of this state or any other state; or

(b) Any court system of the United States or is an employee of any court of the United States;

(4) The victim or named party in the matter is a full-time, part-time, or reserve or auxiliary peace officer, as defined in section 590.010, licensed in this state or any other state;

(5) The victim or named party in the matter is a full-time, part-time, or volunteer firefighter in this state or any other state;

(6) The victim or named party in the matter is an officer of federal job class 1811 who is empowered to enforce United States laws;

(7) The victim or named party in the matter is a law enforcement officer of the United States as defined in 5 U.S.C. 8401(17)(A) or (D);

(8) The victim or named party in the matter is an employee of any law enforcement or legal prosecution agency in this state or any other state or the United States;

(9) The victim or named party in the matter is an employee of a federal agency that has agents or officers who are of job class 1811 who are empowered to enforce United States laws or is an employee of a federal agency that has law enforcement officers as defined in 5 U.S.C. 8401(17)(A) or (D);

(10) The victim or named party in the matter is an officer of the railroad police as defined in section 388.600.

3. For a penalty enhancement as described in subsection 2 of this section to apply, the occupation of the victim or named party shall be material to the subject matter of the document or documents filed or the relief sought by the document or documents filed, and the occupation of the victim or named party shall be materially connected to the apparent reason that the victim has been named, victimized, or involved. For purposes of this subsection and subsection 2 of this section, a person who has retired or resigned from any agency, institution, or occupation listed under subsection 2 of this section shall be considered the same fashion as a person who remains in employment and shall also include the following family members of a person listed under subdivisions (2) to (9) of subsection 2 of this section:

(1) Such person's spouse;

(2) Such person or such person's spouse's ancestor or descendant by blood or adoption; or

(3) Such person's stepchild, while the marriage creating that relationship exists.

4. Any person who pleads guilty or is found guilty under subsections 1 to 3 of this section shall be ordered by the court to make full restitution to any person or entity that has sustained actual losses or costs as a result of the actions of the defendants. Such restitution shall not be paid in lieu of jail or prison time, but rather in addition to any jail or prison time imposed by the court.

5. (1) Nothing in this section shall limit the power of the state to investigate, charge, or punish any person for any conduct that constitutes a crime by any other statute of this state or the United States.

(2) There is no requirement under this section that the filing or record be retained by the receiving entity for prosecution under this section. A filing or record being rejected by the receiving entity shall not be used as an affirmative defense.

6. (1) Any statewide or county agency or similar agency that functions in independent cities of this state, which is responsible for or receives document filings or records, including county recorders of deeds and the secretary of state's office, shall, by January 1, 2018, impose a system in which the documents that have been submitted to the receiving agency or in the case of the secretary of state those filings rejected under its legal authority, are logged or noted in a ledger, spreadsheet, or similar recording method if the filing or recording officer or employee believes the filings or records appear to be fraudulent or contain suspicious verbiage. The receiving agency shall make available noted documents for review by the:

(a) Jurisdictional prosecuting or circuit attorney or his or her designee;

(b) County sheriff or his or her designee;

(c) County police chief or his or her designee;

- (d) City police chief or his or her designee in independent cities; or
- (e) Commissioned peace officers as defined in section 590.010.

Review of such documents is permissible for the agent or agencies under this subdivision without the need of a grand jury subpoena or court order. No fees or monetary charges shall be levied on the investigative agents or agencies for review of documents noted in the ledger or spreadsheet. The ledger or spreadsheet and its contents shall be retained by the agency that controls entries into such ledger or spreadsheet for a minimum of three years from the earliest entry listed in the ledger or spreadsheet.

(2) The receiving entity shall, upon receipt of a filing or record that has been noted as a suspicious filing or record, notify the chief law enforcement officer or his or her designee of the county and the prosecutor or his or her designee of the county of the filing's or record's existence. Such notification shall be made within two business days of the filing or record having been received. Notification may be accomplished via electronic mail or via paper memorandum.

(3) There shall be no requirement imposed by this section that the agency receiving the filing or record make notification to the person conducting the filing or record that the filing or record has been entered as a logged or noted filing or record.

(4) Reviews to ensure compliance with the provisions of this section shall be the responsibility of any commissioned peace officer. Findings of noncompliance shall be reported to the jurisdictional prosecuting or circuit attorney or his or her designee by any commissioned peace officer who has probable cause to believe that the noncompliance has taken place purposely, knowingly, recklessly, or with criminal negligence, as described under section 562.016.

7. To petition for a judicial review of a filing or record that is believed to be fraudulent, false, misleading, forged, or contains materially false information, a petitioner may file a probable cause statement which delineates the cause to believe that the filing or record is materially false, contains materially false information, is a forgery, is fraudulent, or is misleading. This probable cause statement shall be filed in the associate or circuit court of the county in which the original filing or record was transferred, received, or recorded.

8. A filed petition under this section shall have an initial hearing date within twenty business days of the petition being filed with the court. A court ruling of "invalid" shall be evidence that the original filing or record was not accurate, true, or correct. A court ruling of "invalid" shall be retained or recorded at the original receiving entity. The receiving entity shall waive all filing or recording fees associated with the filing or recording of the court ruling document in this subsection. This ruling may be forwarded to credit bureaus or other institutions at the request of the petitioner via motion to the applicable court at no additional cost to the petitioner.

9. If a filing or record is deemed invalid, the prevailing party shall be awarded all reasonable costs and fees incurred by that party in the action. If the filing or record is deemed valid, no court costs or fees, in addition to standard filing fees, shall be assessed.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend Senate Committee Substitute No. 2 for Senate Bill No. 128, Page 1, Section 478.463, Line 9, by inserting immediately after said line the following:

“479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality. The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless the person is licensed to practice law in this state unless, prior to January 2, 1979, such person has served as municipal judge of that same municipality for at least two years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which the municipal judge serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit.

6. No municipal judge shall hold any other office in the municipality which the municipal judge serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after that person has reached that person's seventy-fifth birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after the municipal judge's selection as municipal judge, the municipal judge's office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.

9. No municipal judge shall serve as a municipal judge in more than five municipalities at one time. **A court that serves more than one municipality shall be treated as a single municipality for the purposes of this subsection.**

479.353. **1.** Notwithstanding any provisions to the contrary, the following conditions shall apply to minor traffic violations and municipal ordinance violations:

(1) The court shall not assess a fine, if combined with the amount of court costs, totaling in excess of:

(a) Two hundred twenty-five dollars for minor traffic violations; and

(b) For municipal ordinance violations committed within a twelve-month period beginning with the first violation: two hundred dollars for the first municipal ordinance violation, two hundred seventy-five dollars for the second municipal ordinance violation, three hundred fifty dollars for the third municipal ordinance violation, and four hundred fifty dollars for the fourth and any subsequent municipal ordinance violations;

(2) The court shall not sentence a person to confinement, except the court may sentence a person to confinement for any violation involving alcohol or controlled substances, violations endangering the health or welfare of others, or eluding or giving false information to a law enforcement officer;

(3) A person shall not be placed in confinement for failure to pay a fine unless such nonpayment violates terms of probation or unless the due process procedures mandated by Missouri supreme court rule 37.65 or its successor rule are strictly followed by the court;

(4) Court costs that apply shall be assessed against the defendant unless the court finds that the defendant is indigent based on standards set forth in determining such by the presiding judge of the circuit. Such standards shall reflect model rules and requirements to be developed by the supreme court; and

(5) No court costs shall be assessed if the defendant is found to be indigent under subdivision (4) of this section or if the case is dismissed.

2. When an individual has been held in custody on a notice to show cause warrant for an underlying minor traffic violation, the court, on its own motion or on the motion of any interested party, may review the original fine and sentence and waive or reduce such fine or sentence when the court finds it reasonable given the circumstances of the case.

479.354. For any notice to appear in court, citation, or summons on a minor traffic violation, the date and time the defendant is to appear in court shall be given when such notice to appear in court, citation, or summons is first provided to the defendant. Failure to provide such date and time shall render such notice to appear in court, citation, or summons void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Schatz moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 112**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Sater moved that the Senate refuse to concur in **HCS** for **SB 501**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Rizzo moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 421**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Cunningham moved that the Senate refuse to concur in **HCS** for **SS** for **SB 35**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wasson moved that the Senate refuse to concur in **HCS** for **SCS** for **SB 11**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

CONCURRENT RESOLUTIONS

Senator Kehoe moved that **SCR 26** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **SCR 26** was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal	Holsman	Silvey—3
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Absent with leave—Senators—None

Vacancies—1

On motion of Senator Kehoe, the Senate recessed until 7:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 394**, entitled:

An Act to repeal sections 56.363, 56.805, 56.807, 56.814, 56.818, 56.833, 56.840, 70.600, 70.605, 70.610, 70.615, 70.630, 70.730, 86.200, 86.207, 86.210, 86.253, 86.267, 86.290, 86.360, 104.1091, 105.669, 169.141, 169.324, 169.460, 169.490, 169.560, and 169.715, RSMo, and to enact in lieu thereof thirty new sections relating to public employee retirement systems, with an emergency clause for a certain section.

With House Amendment No. 1, House Amendment No. 1 to House Amendment No. 2 and House Amendment No. 2 as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 394, Page 1, Section A, Line 7, by inserting after all of said line the following:

“52.290. 1. In all counties except counties having a charter form of government before January 1, 2008, and any city not within a county, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of [seven] **nine** percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. [Two-sevenths] **Of the nine percent** of the fees collected pursuant to the provisions of this section **two-ninths** shall be paid into the county general fund, two-[sevenths] **ninths** of the fees collected pursuant to the provisions of this section shall be paid into the tax maintenance fund of the county as required by section 52.312, and [three-sevenths] **five-ninths** of the fees collected pursuant to the provisions of this section shall be paid into the county employees’ retirement fund created by sections 50.1000 to 50.1200. Notwithstanding provisions of law to the contrary, an authorization for collection of a fee for the collection of delinquent and back taxes in a county’s charter, at a rate different than the rate allowed by law, shall control.

2. In all counties having a charter form of government, other than any county adopting a charter form of government after January 1, 2008, and any city not within a county, the collector shall collect on behalf of the county and pay into the county general fund a fee for the collection of delinquent and back taxes of two percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax except that in a county with a charter form of government and with more than two hundred fifty thousand but less than seven hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of three percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. If a county is required by section 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection shall be paid into the county general fund.

3. Such county collector may accept credit cards as proper form of payment of outstanding delinquent and back taxes due. No county collector may charge a surcharge for payment by credit card.”; and

Further amend said bill, Page 33, Section 105.669, Line 28, by inserting after all of said line the

following;

“137.280. 1. Taxpayers’ personal property lists, except those of merchants and manufacturers, and except those of railroads, public utilities, pipeline companies or any other person or corporation subject to special statutory requirements, such as chapter 151, who shall return and file their assessments on locally assessed property no later than April first, shall be delivered to the office of the assessor of the county between the first day of January and the first day of March each year and shall be signed and certified by the taxpayer as being a true and complete list or statement of all the taxable tangible personal property. If any person shall fail to deliver the required list to the assessor by the first day of March, the owner of the property which ought to have been listed shall be assessed a penalty added to the tax bill, based on the assessed value of the property that was not reported, as follows:

Assessed Valuation		Penalty
0-	\$1,000	[\$10.00] \$15.00
\$1,001-	\$2,000	[\$20.00] \$25.00
\$2,001-	\$3,000	[\$30.00] \$35.00
\$3,001-	\$4,000	[\$40.00] \$45.00
\$4,001-	\$5,000	[\$50.00] \$55.00
\$5,001-	\$6,000	[\$60.00] \$65.00
\$6,001-	\$7,000	[\$70.00] \$75.00
\$7,001-	\$8,000	[\$80.00] \$85.00
\$8,001-	\$9,000	[\$90.00] \$95.00
\$9,001 and above		[\$100.00] \$105.00

The assessor in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants shall omit assessing the penalty in any case where he **or she** is satisfied the neglect is unavoidable and not willful or falls into one of the following categories. The assessor in all other political subdivisions shall omit assessing the penalty in any case where he **or she** is satisfied the neglect falls into at least one of the following categories:

- (1) The taxpayer is in military service and is outside the state;
- (2) The taxpayer filed timely, but in the wrong county;
- (3) There was a loss of records due to fire or flood;
- (4) The taxpayer can show the list was mailed timely as evidenced by the date of postmark; [or]
- (5) The assessor determines that no form for listing personal property was mailed to the taxpayer for that tax year; or
- (6) The neglect occurred as a direct result of the actions or inactions of the county or its employees or contractors.

2. Between March first and April first, the assessor shall send to each taxpayer who was sent an

assessment list for the current tax year, and said list was not returned to the assessor, a second notice that statutes require the assessment list be returned immediately. In the event the taxpayer returns the assessment list to the assessor before May first, the penalty described in subsection 1 of this section shall not apply. If said assessment list is not returned before May first by the taxpayer, the penalty shall apply.

3. It shall be the duty of the county commission and assessor to place on the assessment rolls for the year all personal property discovered in the calendar year which was taxable on January first of that year.

4. If annual waivers exceed forty percent then by February first of each year, the assessor shall transmit to the county employees' retirement fund an electronic or paper copy of the log maintained under subsection 3 of section 50.1020 for the prior calendar year.

137.345. 1. If any person, corporation, partnership or association neglects or refuses to deliver an itemized statement or list of all the taxable tangible personal property signed and certified by the taxpayer, as required by section 137.340, by the first day of March, [they] **the taxpayer** shall be assessed a penalty added to the tax bill, based on the assessed value of the property that was not reported, as follows:

Assessed Valuation		Penalty
0-	\$1,000	[\$10.00] \$15.00
\$1,001-	\$2,000	[\$20.00] \$25.00
\$2,001-	\$3,000	[\$30.00] \$35.00
\$3,001-	\$4,000	[\$40.00] \$45.00
\$4,001-	\$5,000	[\$50.00] \$55.00
\$5,001-	\$6,000	[\$60.00] \$65.00
\$6,001-	\$7,000	[\$70.00] \$75.00
\$7,001-	\$8,000	[\$80.00] \$85.00
\$8,001-	\$9,000	[\$90.00] \$95.00
\$9,001 and above		[\$100.00] \$105.00

The assessor in any county of the first classification without a charter form of government with a population of one hundred thousand or more inhabitants which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants shall omit assessing the penalty in any case where he **or she** is satisfied the neglect is unavoidable and not willful or falls into one of the following categories. The assessor in all other political subdivisions shall omit assessing the penalty in any case where he **or she** is satisfied the neglect falls into at least one of the following categories:

- (1) The taxpayer is in military service and is outside the state;
- (2) The taxpayer filed timely, but in the wrong county;
- (3) There was a loss of records due to fire, theft, fraud or flood;

(4) The taxpayer can show the list was mailed timely as evidenced by the date of postmark; [or]

(5) The assessor determines that no form for listing personal property was mailed to the taxpayer for that tax year; or

(6) The neglect occurred as a direct result of the actions or inactions of the county or its employees or contractors.

2. It shall be the duty of the county commission and assessor to place on the assessment rolls for the year all property discovered in the calendar year which was taxable on January first of that year.

3. Between March first and April first, the assessor shall send to each taxpayer who was sent an assessment list for the current tax year, and said list was not returned to the assessor, a second notice that statutes require that the assessment list be returned immediately. In the event the taxpayer returns the assessment list to the assessor before May first, the penalty described in subsection 1 of this section shall not apply. If said assessment list is not returned before May first by the taxpayer, the penalty shall apply.

4. The assessor, in the absence of the owner failing to deliver a required list of property is not required to furnish to the owner a duplicate of the assessment as made.

5. In every instance where a taxpayer has appealed to the board of equalization or the state tax commission the assessment of the taxpayer's property, real or personal, and that appeal has been successful, then in the next following and all subsequent years the basis upon which the assessor must base future assessments of the subject property shall be the basis established by the successful appeal and any increases must be established from that basis.

140.100. 1. Each tract of land in the back tax book, in addition to the amount of tax delinquent, shall be charged with a penalty of eighteen percent of each year's delinquency except that the penalty on lands redeemed prior to sale shall not exceed two percent per month or fractional part thereof.

2. For making and recording the delinquent land lists, the collector and the clerk shall receive ten cents per tract or lot and the clerk shall receive five cents per tract or lot for comparing and authenticating such list.

3. In all counties except counties having a charter form of government before January 1, 2008, and any city not within a county, in addition to the amount collected in subsection 2 of this section, for making and recording the delinquent land lists, the collector and the clerk shall each receive five dollars per tract or lot. The ten dollars shall be paid into the county employees' retirement fund established pursuant to section 50.1010.”; and

Further amend said bill, Page 48, Section B, Line 6, by inserting after all of said section and line the following:

“Section C. Sections 52.290, 137.280, 137.345, and 140.100 of section A of this act shall become effective January 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 2

Amend House Amendment No. 2 to House Committee Substitute for Senate Bill No. 394, Page 1, Line 36, by inserting after all of said line the following:

“Further amend said bill, Page 45, Section 169.490, Lines 49 to 64, by deleting all of said lines and inserting in lieu thereof the following:

“5. For calendar year 2018, the rate of contribution payable by each employer shall equal sixteen percent of the total compensation of all members employed by that employer. For each calendar year thereafter, the percentage rate of contribution payable by each employer of the total compensation of all members employed by that employer shall decrease one-half of one percent annually until calendar year 2032 when the rate of contribution payable by each employer shall equal nine percent of the total compensation of all members employed by that employer. For subsequent calendar years after 2032, the rate of contribution payable by each employer shall equal nine percent of the total compensation of all members employed by that employer.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 394, Page 33, Section 104.1092, Line 16, by inserting after all of said line the following:

“105.666. 1. Each **defined benefit** plan shall, in conjunction with its staff and advisors, establish a board member education program, which shall be in effect on or after January 1, 2008. The curriculum shall include, at a minimum, education in the areas of duties and responsibilities of board members as trustees, ethics, governance process and procedures, pension plan design and administration of benefits, investments including but not limited to the fiduciary duties as defined under section 105.688, legal liability and risks associated with the administration of a plan, sunshine law requirements under chapter 610, actuarial principles and methods related to plan administration, and the role of staff and consultants in plan administration. Board members appointed or elected on a board on or after January 1, 2008, shall complete a board member education program designated to orient new board members in the areas described in this section within ninety days of becoming a new board member. Board members who have served one or more years **and administer a defined benefit plan** shall attend at least a total of six hours of continuing education programs each year in the areas described in this section.

2. Routine annual presentation by outside plan service providers shall not be used to satisfy board member education or continuing education program requirements contained in subsection 1 of this section. Such service providers may be utilized to perform education programs with such programs being separate and apart from routine annual presentations.

3. Plan governing body or staff shall maintain a record of board member education including, but not limited to, date, time length, location, education material, and any facilitator utilized. The record shall be signed and attested to by the attending board member or board chairperson or designee. Such information shall be maintained for public record and disclosure for at least three years or until the expiration of such board member’s term, whichever occurs first.

4. A board member who is knowingly not participating in the required education programs under this section may be removed from such board by a majority of the board members which shall result in a vacancy to be filled in accordance with plan provisions except that ex officio board members shall not be removed under this subsection.

5. Each plan shall, upon the request of any individual participant, provide an annual pension benefit statement which shall be written in a manner calculated to be understood by the average plan participant and may be delivered in written, electronic, or other appropriate form to the extent such form is reasonably accessible to each participant or beneficiary. Such pension benefit statement shall include, but not be limited to, accrued participant contributions to the plan, total benefits accrued, date first eligible for a normal retirement benefit, and projected benefit at normal retirement **for defined benefit plans only**. Any plan failing to do so shall submit in writing to the joint committee on public employee retirement as to why the information may not be provided as requested.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Emergency clause defeated.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS for SB 30**, entitled:

An Act to repeal sections 88.770 and 233.295, RSMo, and to enact in lieu thereof two new sections relating to authorized powers of political subdivisions.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 7, House Amendment No. 8 and House Amendment No. 9.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 30, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“68.075. 1. This section shall be known and may be cited as the “Advanced Industrial Manufacturing Zones Act”.

2. As used in this section, the following terms shall mean:

(1) “AIM zone”, an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) “County average wage”, the average wages in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of

determining eligibility;

(3) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee’s work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility’s payroll, one hundred percent of the employee’s income from such employment is Missouri income, and the employee is paid at or above the [state] **county** average wage.

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority’s jurisdiction, **ownership, or control**, and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority’s jurisdiction **or under the port authority’s ownership or control, and may be expanded or contracted by resolution of the port authority board of commissioners.**

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within such zone after development or redevelopment has commenced shall not be remitted to the general **revenue** fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the “Port Authority AIM Zone Fund”, which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 30, Page 5, Section 233.295, Line 105, by inserting after all of said section and line the following:

“266.600. No political subdivision shall adopt or enforce any ordinance, rule, or regulation relating to the labeling, cultivation, or other use of seed, fertilizers, or soil conditioners as such terms are defined or used in sections 266.021, 266.291, and 266.361, respectively. The provisions of this section shall not apply to any ordinance, rule, or regulation enacted prior to August 28, 2017.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 30, Page 1, Section A, Line 2, by inserting immediately after all of said section and line the following:

“67.402. 1. The governing body of the following counties may enact nuisance abatement ordinances as provided in this section:

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five thousand five hundred inhabitants;

(2) Any county of the first classification with more than seventy-one thousand three hundred but fewer than seventy-one thousand four hundred inhabitants;

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants;

(4) Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;

(5) Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants;

(6) Any county of the third classification with a township form of government and with more than fourteen thousand five hundred but fewer than fourteen thousand six hundred inhabitants;

(7) Any county of the first classification with more than eighty-two thousand but fewer than eighty-two thousand one hundred inhabitants;

(8) Any county of the first classification with more than one hundred four thousand six hundred but fewer than one hundred four thousand seven hundred inhabitants;

(9) Any county of the third classification with a township form of government and with more than seven thousand nine hundred but fewer than eight thousand inhabitants; [and]

(10) Any county of the second classification with more than fifty-two thousand six hundred but fewer than fifty-two thousand seven hundred inhabitants;

(11) Any county of the first classification with more than sixty-five thousand but fewer than seventy-five thousand inhabitants and with a county seat with more than fifteen thousand but

fewer than seventeen thousand inhabitants; and

(12) Any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants and with a county seat with more than two thousand one hundred but fewer than two thousand four hundred inhabitants.

2. The governing body of any county described in subsection 1 of this section may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

4. Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special

tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid.

5. Nothing in this section authorizes any county to enact nuisance abatement ordinances that provide for the abatement of any condition relating to agricultural structures or agricultural operations, including but not limited to the raising of livestock or row crops.

6. No county of the first, second, third, or fourth classification shall have the power to adopt any ordinance, resolution, or regulation under this section governing any railroad company regulated by the Federal Railroad Administration.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 30, Page 1, Section A, Line 2, by inserting the following after all of said section and line:

“50.622. 1. Any county may amend the annual budget during any fiscal year in which the county receives additional funds, and such amount or source, including, but not limited to, federal or state grants or private donations, could not be estimated when the budget was adopted. The county shall follow the same procedures as required in sections 50.525 to 50.745 for adoption of the annual budget to amend its budget during a fiscal year.

2. Any county may decrease the annual budget twice during any fiscal year in which the county experiences a verifiable decline in funds of two percent or more, and such amount could not be estimated or anticipated when the budget was adopted, provided that any decrease in appropriations shall not unduly affect any one officeholder. Before any reduction affecting an independently elected officeholder can occur, negotiations shall take place with all officeholders who receive funds from the affected category of funds in an attempt to cover the shortfall. The county shall follow the same procedures as required in sections 50.525 to 50.745 to decrease the annual budget, except that the notice provided for in section 50.600 shall be extended to thirty days for purposes of this subsection. Such notice shall include a published summary of the proposed reductions and an explanation of the shortfall.

3. Any decrease in an appropriation authorized under subsection 2 of this section shall not impact any dedicated fund otherwise provided by law.

4. County commissioners may reduce budgets of departments under their direct supervision and responsibility at any time without the restrictions imposed by this section.

5. Subsections 2, 3, and 4 of this section shall expire on July 1, [2016] **2027**.

6. Notwithstanding the provisions of this section, no charter county shall be restricted from amending its budget under and pursuant to the terms of its charter.

54.040. [1.] Except in a county with a charter form of government, a candidate for county treasurer shall be at least twenty-one years of age and a resident of the state of Missouri and the county in which

he or she is a candidate for at least one year prior to the date of the general election for such office. The candidate shall also be a registered voter and shall be current in the payment of all personal and real estate taxes. Upon election to such office, the person shall continue to reside in that county during his or her tenure in office. Each candidate for county treasurer shall also provide to the election authority a copy of a signed affidavit from a surety company authorized to do business in this state indicating that the candidate meets the bond requirements for the office of county treasurer under this chapter.

[2. No sheriff, marshal, clerk or collector, or the deputy of any such officer, shall be eligible to the office of treasurer of any county.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 30, Page 1, Section A, Line 2, by inserting immediately after said section and line the following:

“67.505. 1. Any county may, by a majority vote of its governing body, impose a county sales tax, in conjunction with a property tax reduction for each year in which the sales tax is imposed, for the benefit of such county in accordance with the provisions of sections 67.500 to 67.545; provided, however, that no ordinance or order enacted pursuant to the authority granted by the provisions of sections 67.500 to 67.545 shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose a tax and reduce property taxes under the provisions of sections 67.500 to 67.545.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the county of (county’s name) impose a countywide sales tax of (insert amount) and reduce its total property tax levy annually by (insert amount) percent of the total amount of sales tax revenue collected in the same tax year?

☐ YES

☐ NO

If you are in favor of the question, place an “X” in the box opposite “YES”. If you are opposed to the question, place an “X” in the box opposite “NO”.

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax and reduce the property tax as herein authorized unless and until the governing body of the county shall again have submitted another proposal to authorize the governing body of the county to impose the sales tax and reduce the property tax under the provisions of sections 67.500 to 67.545 and such proposal is approved by a majority of the qualified voters voting thereon.

3. The sales tax may be imposed at a rate of one-fourth of one percent, three-eighths of one percent or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. Each year in which a sales tax is imposed under the provisions of sections 67.500 to 67.545, the county shall, after

determining its budget, excluding funds required to be set aside and placed to the credit of special road districts, within the limits set by the constitution and laws of this state for the following calendar year and the total property tax levy needed to raise the revenues required by such budget, reduce that total property tax levy in an amount sufficient to decrease the total property taxes it will collect by an amount equal to one of the following:

(1) Fifty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(2) Sixty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(3) Seventy percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(4) Eighty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(5) Ninety percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

(6) One hundred percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;

provided that, in the event that in the immediately preceding year a county actually collected more or less sales tax revenue than the amount determined under subdivision (4) of section 67.500, the county shall adjust its total property tax levy for the current year to reflect such increase or decrease.

4. No county in this state shall impose a tax under this section for the purpose of funding in whole or in part the construction, operation, or maintenance of any zoological activities, zoological facilities, zoological organizations, the metropolitan zoological park and museum district as created under section 184.350, or any zoological boards.

67.547. 1. In addition to the tax authorized by section 67.505, any county **as defined in section 67.750** may, by a majority vote of its governing body, impose an additional county sales tax on all sales which are subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by this section shall be in addition to any and all other sales tax allowed by law; except that no ordinance or order imposing a sales tax under the provisions of this section shall be effective unless the governing body of the county submits to the voters of the county, at a county or state general, primary or special election, a proposal to authorize the governing body of the county to impose such tax.

2. The ballot of submission shall contain, but need not be limited to the following language:

Shall the county of (county's name) impose a countywide sales tax of (insert rate) percent **for the purpose of(insert purpose)?**

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the

proposal, then the ordinance or order and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county shall have no power to impose the sales tax as herein authorized unless and until the governing body of the county submits another proposal to authorize the governing body of the county to impose the sales tax under the provisions of this section and such proposal is approved by a majority of the qualified voters voting thereon. **A county shall not submit to the voters a proposed sales tax under this section for a period of two years from the date of an election in which the county previously submitted to the voters a proposed sales tax under this section, regardless of whether the initial proposed sales tax was approved or disapproved by the voters. The revenue collected from the sales tax authorized under this section shall only be used for the purpose approved by voters of the county.**

3. The sales tax may be imposed at a rate of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax[,] if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. **In any city not within a county or any county described in subsection 5 of this section, no sales tax for the purpose of funding zoological activities and zoological facilities as those terms are defined in section 184.500 shall exceed a rate of one-eighth of one percent unless the sales tax was levied and collected before August 28, 2017. Beginning August 28, 2017, no county shall submit to the voters any proposal that results in a combined rate of sales taxes adopted under this section in excess of one percent.**

4. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under this section.

5. In any first class county having a charter form of government and having a population of nine hundred thousand or more, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-eighths of the proceeds of the tax shall be distributed to the county and the remaining five-eighths shall be distributed to the cities, towns and villages and the unincorporated area of the county on the ratio that the population of each bears to the total population of the county. **Three-eighths of the tax rate adopted by such a county shall be included in the calculation of the county's one percent combined tax rate ceiling provided in subsection 3 of this section.** The population of each city, town or village and the unincorporated area of the county and the total population of the county shall be determined on the basis of the most recent federal decennial census. **The provisions of this subsection shall not apply if the revenue collected is used to support zoological activities of the zoological subdistrict as defined under section 184.352.**

6. **Except as prohibited under section 184.353, residents of any county that does not adopt a sales tax under this section for the purpose of supporting zoological activities may be charged an admission fee for zoological facilities, programs, or events that are not part of the zoological subdistrict defined under subsection 15 of section 184.352 as of August 28, 2017.**

7. In any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants, the proceeds of the sales tax authorized by this section shall be distributed so that an amount equal to three-fourths of the proceeds of the tax shall be distributed to the county and the remaining one-fourth shall be distributed equally among the

incorporated cities, towns, and villages of the county. Upon request from any city, town, or village within the county, the county shall make available for inspection the distribution report provided to the county by the department of revenue. Any expenses incurred by the county in supplying such report to a city, town, or village shall be paid by such city, town, or village.

[7.] **8.** In any first class county having a charter form of government and having a population of nine hundred thousand or more, no tax shall be imposed pursuant to this section for the purpose of funding in whole or in part the construction, operation or maintenance of a sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking facility or anything incidental or necessary to a complex suitable for any type of professional sport or recreation, either upon, above or below the ground.

[8.] **9.** No county in this state, other than a county with a charter form of government and with more than nine hundred fifty thousand inhabitants and a city not within a county, shall impose a tax under this section for the purpose of funding in whole or in part the construction, operation, or maintenance of any zoological activities, zoological facilities, zoological organizations, the metropolitan zoological park and museum district as created under section 184.350, or any zoological boards.

10. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties. If any county abolishes the tax, the county shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director of revenue shall remit the balance in the account to the county and close the account of that county. The director of revenue shall notify each county of each instance of any amount refunded or any check redeemed from receipts due the county.

11. No revenue received from a tax for the purpose of funding zoological activities in any county shall be used for the benefit of any entity that has ever been named Grant's Farm or is located at ten thousand five hundred one Gravois Road, Saint Louis, Missouri, or successor address, or to supplant any funding received from the metropolitan zoological park and museum district established under section 184.350."; and

Further amend said bill, Page 2, Section 88.770, Line 41, by inserting immediately after said section and line the following:

"94.510. 1. Any city may, by a majority vote of its council or governing body, impose a city sales tax for the benefit of such city in accordance with the provisions of sections 94.500 to 94.550; provided, however, that no ordinance enacted pursuant to the authority granted by the provisions of sections 94.500 to 94.550 shall be effective unless the legislative body of the city submits to the voters of the city, at a public election, a proposal to authorize the legislative body of the city to impose a tax under the provisions of sections 94.500 to 94.550. The ballot of submission shall be in substantially the following form:

Shall the city of (insert name of city) impose a city sales tax of (insert rate of percent) percent?

☐ YES☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the legislative body of the city shall have no power to impose the tax herein authorized unless and until the legislative body of the city shall again have submitted another proposal to authorize the legislative body of the city to impose the tax under the provisions of sections 94.500 to 94.550, and such proposal is approved by a majority of the qualified voters voting thereon.

2. The sales tax may be imposed at a rate of one-half of one percent, seven-eighths of one percent or one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525; except that, each city not within a county may impose such tax at a rate not to exceed one and three-eighths percent. **Beginning August 28, 2017, no city shall submit to the voters any proposal that results in a combined rate of sales taxes adopted under this section in excess of two percent.**

3. If any city in which a city tax has been imposed in the manner provided for in sections 94.500 to 94.550 shall thereafter change or alter its boundaries, the city clerk of the city shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by the act shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

4. If any city abolishes the tax authorized under this section, the repeal of such tax shall become effective December thirty-first of the calendar year in which such abolishment was approved. Each city shall notify the director of revenue at least ninety days prior to the effective date of the expiration of the sales tax authorized by this section and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the date of expiration of the tax authorized by this section in such city, the director of revenue shall remit the balance in the account to the city and close the account of that city. The director of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 30, Page 1, Section A, Line 2, by inserting the following after all of said line:

“59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent required by law to the recording of any instrument specified in subdivisions (1) and (2) **of subsection 1** of section 59.330, an additional fee of [five] **six** dollars shall be charged and collected by every recorder of deeds

in this state on each instrument recorded. The additional fee shall be distributed as follows:

(1) One dollar and twenty-five cents to the recorder's fund established pursuant to subsection 1 of section 59.319, provided, however, that all funds received pursuant to this section shall be used exclusively for the purchase, installation, upgrade and maintenance of modern technology necessary to operate the recorder's office in an efficient manner;

(2) One dollar and seventy-five cents to the county general revenue fund; and

(3) [Two] **Three** dollars to the fund established in subsection 2 of this section.

2. **(1)** There is hereby established a revolving fund known as the "Statutory County Recorder's Fund", which shall receive funds paid to the recorders of deeds of the counties of this state pursuant to subdivision (3) of subsection 1 of this section. The director of the department of revenue shall be custodian of the fund and shall make disbursements from the fund for the purpose of subsidizing the fees collected by counties that hereafter elect or have heretofore elected to separate the offices of clerk of the circuit court and recorder. The subsidy shall consist of the total amount of moneys collected pursuant to subdivisions (1) and (2) of subsection 1 of this section subtracted from fifty-five thousand dollars, **except if the annual average of funds collected under subsection 1 over the previous three-year period is insufficient to meet all obligations calculated in this subdivision and in which case the provisions of subdivision (2) of this subsection shall apply.** The moneys paid to qualifying counties pursuant to this subsection shall be deposited in the county general revenue fund. For purposes of this section a "qualified county" is a county that hereafter elects or has heretofore elected to separate the offices of clerk of the circuit court and recorder and in which the office of the recorder of deeds collects less than fifty-five thousand dollars in fees pursuant to subdivisions (1) and (2) of subsection 1 of this section, on an annual basis. Moneys in the statutory county recorder's fund shall not be considered state funds and shall be deemed nonstate funds.

(2) If funds collected under subdivision (3) of subsection 1 of this section are insufficient to meet obligations set out in subsection 1 of this section, the department of revenue shall calculate the projected shortfall that would otherwise be incurred using the formula set out above. If the fund balance is greater than the annual average disbursement of the previous three years, then up to thirty-three percent of such excess may be used to meet the obligation. If this amount is insufficient or unavailable, the director of the department of revenue shall set a new requisite amount to determine a qualified county under subdivision (1) of this subsection other than fifty-five thousand dollars, which reflects the revenue collected under subdivision (3) of subsection 1 of this section plus an additional thirty-three percent should the balance exist in the statutory recorder's fund."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 30, Page 2, Section 88.770, Line 41, by inserting the following after all of said section and line:

"229.150. 1. All driveways or crossings over ditches connecting highways with the private property shall be made under the supervision of the **road** overseer or commissioners of the road districts.

2. [Any] **No** person or persons [who] shall willfully or knowingly obstruct or damage any public road by obstructing the side or cross drainage or ditches thereof, or by turning water upon such road or right-of-way, or by throwing or depositing brush, trees, stumps, logs, or any refuse or debris whatsoever, in said road, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge or erecting any advertising sign within the lines established for such road, or by changing the location thereof, or shall obstruct **or damage** said road, highway, or drains in any other manner whatsoever[, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not less than five dollars nor more than two hundred dollars, or by imprisonment in the county jail for not exceeding six months, or by both such fine and imprisonment].

3. Road damage or obstruction shall not constitute violations under this section when farming or ranching lands have been improved using soil and water conservation practices implemented in conformance with the Missouri soil and water conservation program or natural resources conservation service technical standards.

4. The road overseer of any district, or county highway engineer, who finds any road **damaged or** obstructed as above specified, [shall] **may** notify the [person] **landowner** violating the provisions of this section, [verbally or] in writing, **using any mail service with delivery tracking**, to remove such obstruction, **to repair such damage in a manner approved by the road overseer or county highway engineer making the request, or to pay the reasonable cost of such removal or repair.** [Within ten days after being notified, he shall pay the sum of five dollars for each and every day after the tenth day if such obstruction is maintained or permitted to remain; such fine to be recovered by suit brought by the road overseer, in the name of the road district, in any court of competent jurisdiction] **If the landowner fails to remove any obstruction, make any repairs, or remit any payment of costs as requested within thirty days of the tracked delivery date, the road overseer or county highway engineer may petition the associate circuit court of the county in which the land is located to authorize the overseer or engineer or an agent or employee thereof, to enter the landowner's land to remove the obstruction or to repair the damage, in order to restore the roadway or drainage ditch to a condition substantially the same as the adjacent roadways and drainage ditches. Such entry on the landowner's lands shall be limited to the extent necessary to repair the roadway or drainage ditch, and shall constitute no cause of action for trespass. Such authorization and entry shall not be granted until the opportunity for a hearing has been completed and the petition has been granted. The petition shall include an estimate of the costs.**

5. If the court enters a judgment granting the petition and authorizing the actions requested therein, the judgment shall include an award for the reasonable cost of removal or repair, court costs, and reasonable attorney's fees, and shall become a lien on such lands, and shall be collected as state and county taxes are collected by law. If the court denies the petition, the county shall be responsible for the landowner's court costs and reasonable attorney's fees."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 8

Amend House Committee Substitute for Senate Bill No. 30, Page 2, Section 88.770, Line 41, by inserting immediately after said line the following:

"162.492. 1. In all urban districts containing the greater part of the population of a city which has

more than three hundred thousand inhabitants, the election authority of the city in which the greater portion of the school district lies, and of the county if the district includes territory not within the city limits, shall serve ex officio as a redistricting commission. The commission shall on or before November 1, 2018, divide the school district into five subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions as soon as practicable after each United States decennial census. In establishing the subdistricts each member shall have one vote and a majority vote of the total membership of the commission is required to make effective any action of the commission.

2. School elections for the election of directors shall be held on municipal election days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until 2019 and until their successors are elected and qualified. At the election in 2016, directors shall be elected until 2019 and until their successors are elected and qualified. Beginning in 2019, school elections for the election of directors shall be held on the local election date as specified in the charter of a home rule city with more than four hundred thousand inhabitants and located in more than one county. Beginning at the election for school directors in 2019, the number of directors on the board shall be reduced from nine to seven. Two directors shall be at-large directors and five directors shall represent the subdistricts, with one director from each of the subdistricts. [Directors shall serve a four-year term] **At the 2019 election, one of the at-large directors and the directors from subdistricts one, three, and five shall be elected for a two-year term, and the other at-large director and the directors from subdistricts two and four shall be elected for a four-year term. Thereafter, all seven directors shall serve a four-year term.** Directors shall serve until the next election and until their successors, then elected, are duly qualified as provided in this section. In addition to other qualifications prescribed by law, each member elected from a subdistrict shall be a resident of the subdistrict from which he or she is elected. The subdistricts shall be numbered from one to five. [Each voter may vote for two candidates for at-large director and the two receiving the largest number of votes cast shall be elected.]

3. The five candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the at-large votes shall be elected. The name of no candidate for nomination shall be printed on the ballot unless the candidate has at least sixty days prior to the election filed a declaration of candidacy with the secretary of the board of directors containing the signatures of at least two hundred fifty registered voters who are residents of the subdistrict within which the candidate for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of at least five hundred registered voters. The election authority shall determine the validity of all signatures on declarations of candidacy.

4. In any election either for at-large candidates or candidates elected by the voters of subdistricts, if there are more than two candidates, a majority of the votes are not required to elect but the candidate having a plurality of the votes [if there is only one office to be filled and the candidates having the highest number of votes, if more than one office is to be filled,] shall be elected.

5. The names of all candidates shall appear upon the ballot without party designation and in the order of the priority of the times of filing their petitions of nomination. No candidate may file both at large and from a subdistrict and the names of all candidates shall appear only once on the ballot, nor may any candidate file more than one declaration of candidacy. All declarations shall designate the candidate's residence and whether the candidate is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large area.

6. The provisions of all sections relating to seven-director school districts shall also apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to the extent applicable and not in conflict with the provisions of those sections specifically relating to such urban districts.

7. Vacancies which occur on the school board between the dates of election shall be filled by special election if such vacancy happens more than six months prior to the time of holding an election as provided in subsection 2 of this section. The state board of education shall order a special election to fill such a vacancy. A letter from the commissioner of education, delivered by certified mail to the election authority or authorities that would normally conduct an election for school board members shall be the authority for the election authority or authorities to proceed with election procedures. If a vacancy occurs less than six months prior to the time of holding an election as provided in subsection 2 of this section, no special election shall occur and the vacancy shall be filled at the next election day on which local elections are held as specified in the charter of any home rule city with more than four hundred thousand inhabitants and located in more than one county.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 9

Amend House Committee Substitute for Senate Bill No. 30, Page 1, Section A, Line 2, by inserting after all of said section and line the following:

“67.990. 1. The governing body of any county or city not within a county may, upon approval of a majority of the qualified voters of such county or city voting thereon, levy and collect a tax not to exceed five cents per one hundred dollars of assessed valuation, or in any county of the first classification with more than eighty-five thousand nine hundred but less than eighty-six thousand inhabitants, the governing body may, upon approval of a majority of the qualified voters of the county voting thereon, levy and collect a tax not to exceed ten cents per one hundred dollars of assessed valuation upon all taxable property within the county or city or for the purpose of providing services to persons sixty years of age or older. The tax so levied shall be collected along with other county or city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund for the provision of services for persons sixty years of age or older, and shall be used for no other purpose except those purposes authorized in sections 67.990 to 67.995. Deposits in the fund shall be expended only upon approval of the board of directors established in section 67.993 and only in accordance with the fund budget approved by the county [or city governing body]. **In a city not within a county, deposits in the fund shall be expended only in accordance with the budget approved by the board established in section 67.993.**

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of county/city) levy a tax of cents per each one hundred dollars assessed valuation for the purpose of providing services to persons sixty years of age or older?

☐ YES

☐ NO

67.993. 1. Upon the approval of the tax authorized by section 67.990 by the voters of the county or

city not within a county, the tax so approved shall be imposed upon all taxable property within the county or city and the proceeds therefrom shall be deposited in a special fund, to be known as the "Senior Citizens' Services Fund", which is hereby established within the county [or city] treasury. **In a city not within a county, the proceeds shall be deposited with the board established by law to administer such funds, which shall be known as the "Senior Citizen Services Fund" to accomplish the purposes set out herein and for no other purpose.** No moneys in the senior citizens' services fund shall be spent until the board of directors provided for in subsection 2 of this section has been appointed and has taken office.

2. Upon approval of the tax authorized by section 67.990 by the voters of the county or city, the governing body of the county or the mayor of the city shall appoint a board of directors consisting of seven directors, who shall be selected from the county or city at large and shall, as nearly as practicable, represent the various groups to be served by the board **and the demography of the political subdivision served.** Each director shall be a resident of the county or city. Each director shall be appointed to serve for a term of four years and until his successor is duly appointed and qualified; except that, of the directors first appointed, one director shall be appointed for a term of one year, two directors shall be appointed for a term of two years, two directors shall be appointed for a term of three years, and two directors shall be appointed for a term of four years. Directors may be reappointed. All vacancies on the board of directors shall be filled for the remainder of the unexpired term by the governing body of the county or mayor of the city. The directors shall not receive any compensation for their services, but may be reimbursed for all actual and necessary expenses incurred in the performance of their official duties from the moneys in the senior citizens' services fund.

3. The administrative control and management of the funds in the senior citizens' services fund and all programs to be funded therefrom shall rest solely with the board of directors appointed under subsection 2 of this section; except that, the budget for the senior citizens' services fund shall be approved by the governing body of the county [or city] prior to making of any payments from the fund in any fiscal year. **In a city not within a county, such fund shall be administered by and expended only upon approval by a board of directors established under this section.** The board of directors shall use the funds in the senior citizens' services fund to provide programs which will improve the health, nutrition, and quality of life of persons who are sixty years of age or older. The budget may allocate funds for operational and capital needs to senior-related programs in the county or city in which such property taxes are collected. No funds in the senior citizens' services fund may be used, directly or indirectly, for any political purpose. In providing such services, the board of directors may contract with any person to provide services relating, in whole or in part, to the services which the board itself may provide under this section, and for such purpose may expend the tax proceeds derived from the tax authorized by section 67.990.

4. The board of directors shall elect a chairman, vice chairman, and such other officers as it deems necessary; shall establish eligibility requirements for the programs it furnishes; and shall do all other things necessary to carry out the purposes of sections 67.990 to 67.995. A majority of the board of directors shall constitute a quorum.

5. The board of directors, with the approval of the governing body of the county [or city], may accept any gift of property or money for the use and benefit of the persons to be served through the

programs established and funded under sections 67.990 to 67.995, and may sell or exchange any such property so long as such sale or exchange is in the best interests of the programs provided under sections 67.990 to 67.995 and the proceeds from such sale or exchange are used exclusively to fund such programs. **In a city not within a county, the board of directors may solicit, accept, and expend grants from private or public entities and enter into agreements to effectuate such grants so long as the transaction is in the best interests of the programs provided by the board and the proceeds are used exclusively to fund such programs.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

PRIVILEGED MOTIONS

Senator Dixon moved that the Senate refuse to concur in **HA 1, HA 2, HA 3**, as amended and **HA 4**, as amended to **SCS No. 2** for **SB 128** and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

HCS for **HBs 1194** and **1193**, entitled:

An Act to repeal sections 285.055, 288.062, and 290.528, RSMo, and to enact in lieu thereof two new sections relating to the minimum wage, with an emergency clause.

Was taken up by Senator Hegeman.

Senator Hegeman offered **SS** for **HCS** for **HBs 1194** and **1193**, entitled:

SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 1194 & 1193

An Act to repeal sections 285.055, 288.062, and 290.528, RSMo, and to enact in lieu thereof two new sections relating to the minimum wage, with an emergency clause.

Senator Hegeman moved that **SS** for **HCS** for **HBs 1194** and **1193** be adopted.

President Pro Tem Richard assumed the Chair.

Senator Nasheed offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill Nos. 1194 & 1193, Page 12, Section 288.062, Line 11 of said page, by inserting after all of said line the following:

“290.502. 1. Except as may be otherwise provided pursuant to sections 290.500 to 290.530, effective January 1, 2007, every employer shall pay to each employee wages at the rate of [\$6.50] **9.00** per hour, or wages at the same rate or rates set under the provisions of federal law as the prevailing federal minimum wage applicable to those covered jobs in interstate commerce, whichever rate per hour is higher.

2. The minimum wage shall be increased or decreased on January 1, 2008, and on January 1 of

successive years, by the increase or decrease in the cost of living. On September 30, 2007, and on each September 30 of each successive year, the director shall measure the increase or decrease in the cost of living by the percentage increase or decrease as of the preceding July over the level as of July of the immediately preceding year of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) or successor index as published by the U.S. Department of Labor or its successor agency, with the amount of the minimum wage increase or decrease rounded to the nearest five cents.”; and

Further amend the title and enacting clause accordingly.

Senator Nasheed moved that the above amendment be adopted.

At the request of Senator Hegeman, **HCS** for **HBs 1194 and 1193**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 488**, entitled:

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof six new sections relating to the conveyance of state property.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 114**, entitled:

An Act to repeal sections 49.060, 50.622, 50.740, 50.1190, 52.290, 89.020, 94.900, 94.902, 105.030, 137.280, 137.345, 140.100, 182.640, 182.660, 321.242, 321.246, 473.730, 473.743, 473.747, and 475.120, RSMo, and to enact in lieu thereof twenty-four new sections relating to political subdivisions, with a delayed effective date for certain sections.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3, House Amendment No. 4, House Amendment No. 5, House Amendment No. 6, House Amendment No. 1 to House Amendment No. 7 and House Amendment No. 7, as amended.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 114, Page 17, Section 105.030, Line 34, by inserting immediately after all of said section and line the following:

“105.145. 1. The following definitions shall be applied to the terms used in this section:

(1) “Governing body”, the board, body, or persons in which the powers of a political subdivision as a body corporate, or otherwise, are vested;

(2) “Political subdivision”, any agency or unit of this state, except counties and school districts, which now is, or hereafter shall be, authorized to levy taxes or empowered to cause taxes to be levied.

2. The governing body of each political subdivision in the state shall cause to be prepared an annual report of the financial transactions of the political subdivision in such summary form as the state auditor

shall prescribe by rule, except that the annual report of political subdivisions whose cash receipts for the reporting period are ten thousand dollars or less shall only be required to contain the cash balance at the beginning of the reporting period, a summary of cash receipts, a summary of cash disbursements and the cash balance at the end of the reporting period.

3. Within such time following the end of the fiscal year as the state auditor shall prescribe by rule, the governing body of each political subdivision shall cause a copy of the annual financial report to be remitted to the state auditor.

4. The state auditor shall immediately on receipt of each financial report acknowledge the receipt of the report.

5. In any fiscal year no member of the governing body of any political subdivision of the state shall receive any compensation or payment of expenses after the end of the time within which the financial statement of the political subdivision is required to be filed with the state auditor and until such time as the notice from the state auditor of the filing of the annual financial report for the fiscal year has been received.

6. The state auditor shall prepare sample forms for financial reports and shall mail the same to the political subdivisions of the state. Failure of the auditor to supply such forms shall not in any way excuse any person from the performance of any duty imposed by this section.

7. All reports or financial statements hereinabove mentioned shall be considered to be public records.

8. The provisions of this section apply to the board of directors of every transportation development district organized under sections 238.200 to 238.275.

9. Any [transportation development district] **political subdivision** that fails to timely submit a copy of the annual financial statement to the state auditor shall be subject to a fine of five hundred dollars per day.

[9] 10. The state auditor shall report any violation of subsection [8] 9 of this section to the department of revenue. Upon notification from the state auditor's office that a [transportation development district] **political subdivision** failed to timely submit a copy of the annual financial statement, the department of revenue shall notify such [district] **political subdivision** by certified mail that the statement has not been received. Such notice shall clearly set forth the following:

(1) The name of the [district] **political subdivision**;

(2) That the [district] **political subdivision** shall be subject to a fine of five hundred dollars per day if the [district] **political subdivision** does not submit a copy of the annual financial statement to the state auditor's office within thirty days from the postmarked date stamped on the certified mail envelope;

(3) That the fine will be enforced and collected as provided under subsection [10] 11 of this section; and

(4) That the fine will begin accruing on the thirty-first day from the postmarked date stamped on the certified mail envelope and will continue to accrue until the state auditor's office receives a copy of the financial statement.

In the event a copy of the annual financial statement is received within such thirty-day period, no fine shall accrue or be imposed. The state auditor shall report receipt of the financial statement to the department of revenue within ten business days. Failure of the [district] **political subdivision** to submit the required annual financial statement within such thirty-day period shall cause the fine to be collected as provided under subsection [10] **11** of this section.

[10] **11.** The department of revenue may collect the fine authorized under the provisions of subsection [8] **9** of this section by offsetting any sales or use tax distributions due to the [district] **political subdivision**. The director of revenue shall retain two percent for the cost of such collection. The remaining revenues collected from such violations shall be distributed annually to the schools of the county in the same manner that proceeds for all penalties, forfeitures, and fines collected for any breach of the penal laws of the state are distributed.

[11] **12.** Any transportation development district organized under sections 238.200 to 238.275 having gross revenues of less than five thousand dollars in the fiscal year for which the annual financial statement was not timely filed shall not be subject to the fine authorized in this section.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 114, Page 17, Section 105.030, Line 34, by inserting immediately after all of said section and line the following:

“115.124. 1. Notwithstanding any other law to the contrary, in a nonpartisan election in any political subdivision or special district including municipal elections in any city, town, or village with [one] **two** thousand or fewer inhabitants that have adopted a proposal pursuant to subsection 3 of this section but excluding municipal elections in any city, town, or village with more than [one] **two** thousand inhabitants, if the notice provided for in subsection 5 of section 115.127 has been published in at least one newspaper of general circulation as defined in section 493.050 in the district, and [if the number of candidates who have filed for a particular office is equal to the number of positions in that office to be filled by the election, no election shall be held for such office] **if the number of candidates for each office in a particular political subdivision, special district, or municipality is equal to the number of positions for each office within the political subdivision, special district, or municipality to be filled by the election and no ballot measure is placed on the ballot such that a particular political subdivision will owe no proportional election costs if an election is not held, then no election shall be held**, and the candidates shall assume the responsibilities of their offices at the same time and in the same manner as if they had been elected. If no election is held for [such office] **a particular political subdivision, special district, or municipality** as provided in this section, the election authority shall publish a notice containing the names of the candidates that shall assume the responsibilities of office under this section. Such notice shall be published in at least one newspaper of general circulation as defined in section 493.050 in such political subdivision or district by the first of the month in which the election would have occurred, had it been contested. Notwithstanding any other provision of law to the contrary, if at any election the number of candidates filing for a particular office exceeds the number of positions to be filled at such election, the election authority shall hold the election as scheduled, even if a sufficient number of candidates withdraw from such contest for that office so that the number of candidates remaining after the filing deadline is equal to the number of positions to be filled.

2. The election authority or political subdivision responsible for the oversight of the filing of candidates in any nonpartisan election in any political subdivision or special district shall clearly designate where candidates shall form a line to effectuate such filings and determine the order of such filings; except that, in the case of candidates who file a declaration of candidacy with the election authority or political subdivision prior to 5:00 p.m. on the first day for filing, the election authority or political subdivision may determine by random drawing the order in which such candidates' names shall appear on the ballot. If a drawing is conducted pursuant to this subsection, it shall be conducted so that each candidate, or candidate's representative if the candidate filed under subsection 2 of section 115.355, may draw a number at random at the time of filing. If such drawing is conducted, the election authority or political subdivision shall record the number drawn with the candidate's declaration of candidacy. If such drawing is conducted, the names of candidates filing on the first day of filing for each office on each ballot shall be listed in ascending order of the numbers so drawn.

3. The governing body of any city, town, or village with [one] **two** thousand or fewer inhabitants may submit to the voters at any available election, a question to adopt the provisions of subsection 1 of this section for municipal elections. If a majority of the votes cast by the qualified voters voting thereon are in favor of the question, then the city, town, or village shall conduct nonpartisan municipal elections as provided in subsection 1 of this section for all nonpartisan elections remaining in the year in which the proposal was adopted and for the six calendar years immediately following such approval. At the end of such six-year period, each such city, town, or village shall be prohibited from conducting such elections in such a manner unless such a question is again adopted by the majority of qualified voters as provided in this subsection.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 114, Page 5, Section 67.405, Line 17, by inserting immediately after all of said section and line the following:

“68.075. 1. This section shall be known and may be cited as the “Advanced Industrial Manufacturing Zones Act”.

2. As used in this section, the following terms shall mean:

(1) “AIM zone”, an area identified through a resolution passed by the port authority board of commissioners appointed under section 68.045 that is being developed or redeveloped for any purpose so long as any infrastructure and building built or improved is in the development area. The port authority board of commissioners shall file an annual report indicating the established AIM zones with the department of revenue;

(2) “County average wage”, the average wages in each county as determined by the Missouri department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility;

(3) “New job”, the number of full-time employees located at the project facility that exceeds the project facility base employment less any decrease in the number of full-time employees at related

facilities below the related facility base employment. No job that was created prior to the date of the notice of intent shall be deemed a new job. An employee that spends less than fifty percent of the employee's work time at the facility is still considered to be located at a facility if the employee receives his or her directions and control from that facility, is on the facility's payroll, one hundred percent of the employee's income from such employment is Missouri income, and the employee is paid at or above the [state] **county** average wage.

3. Any port authority located in this state may establish an AIM zone. Such zone may only include the area within the port authority's jurisdiction, **ownership, or control**, and may include any such area. The port authority shall determine the boundaries for each AIM zone, and more than one AIM zone may exist within the port authority's jurisdiction **or under the port authority's ownership or control, and may be expanded or contracted by resolution of the port authority board of commissioners.**

4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on new jobs within such zone after development or redevelopment has commenced shall not be remitted to the general **revenue** fund of the state of Missouri. Such moneys shall be deposited into the port authority AIM zone fund established under subsection 5 of this section for the purpose of continuing to expand, develop, and redevelop AIM zones identified by the port authority board of commissioners and may be used for managerial, engineering, legal, research, promotion, planning, satisfaction of bonds issued under section 68.040, and any other expenses.

5. There is hereby created in the state treasury the "Port Authority AIM Zone Fund", which shall consist of money collected under this section. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by the general assembly to be used solely for the administration of this section which shall not exceed ten percent of the total amount collected within the zones of a port authority. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The port authority shall approve any projects that begin construction and disperse any money collected under this section. The port authority shall submit an annual budget for the funds to the department of economic development explaining how and when such money will be spent.

7. The provision of section 23.253 notwithstanding, no AIM zone may be established after August 28, 2023. Any AIM zone created prior to that date shall continue to exist and be coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts may be incurred or reauthorized using AIM zone revenue after August 28, 2023."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 114, Page 20, Section 140.100, Line 12, by inserting immediately after said line the following:

162.492. 1. In all urban districts containing the greater part of the population of a city which has

more than three hundred thousand inhabitants, the election authority of the city in which the greater portion of the school district lies, and of the county if the district includes territory not within the city limits, shall serve ex officio as a redistricting commission. The commission shall on or before November 1, 2018, divide the school district into five subdistricts, all subdistricts being of compact and contiguous territory and as nearly equal in the number of inhabitants as practicable and thereafter the board shall redistrict the district into subdivisions as soon as practicable after each United States decennial census. In establishing the subdistricts each member shall have one vote and a majority vote of the total membership of the commission is required to make effective any action of the commission.

2. School elections for the election of directors shall be held on municipal election days in 2014 and 2016. At the election in 2014, directors shall be elected to hold office until 2019 and until their successors are elected and qualified. At the election in 2016, directors shall be elected until 2019 and until their successors are elected and qualified. Beginning in 2019, school elections for the election of directors shall be held on the local election date as specified in the charter of a home rule city with more than four hundred thousand inhabitants and located in more than one county. Beginning at the election for school directors in 2019, the number of directors on the board shall be reduced from nine to seven. Two directors shall be at-large directors and five directors shall represent the subdistricts, with one director from each of the subdistricts. [Directors shall serve a four-year term] **At the 2019 election, one of the at-large directors and the directors from subdistricts one, three, and five shall be elected for a two-year term, and the other at-large director and the directors from subdistricts two and four shall be elected for a four-year term. Thereafter, all seven directors shall serve a four-year term.** Directors shall serve until the next election and until their successors, then elected, are duly qualified as provided in this section. In addition to other qualifications prescribed by law, each member elected from a subdistrict shall be a resident of the subdistrict from which he or she is elected. The subdistricts shall be numbered from one to five. [Each voter may vote for two candidates for at-large director and the two receiving the largest number of votes cast shall be elected.]

3. The five candidates, one from each of the subdistricts, who receive a plurality of the votes cast by the voters of that subdistrict and the at-large candidates receiving a plurality of the at-large votes shall be elected. The name of no candidate for nomination shall be printed on the ballot unless the candidate has at least sixty days prior to the election filed a declaration of candidacy with the secretary of the board of directors containing the signatures of at least two hundred fifty registered voters who are residents of the subdistrict within which the candidate for nomination to a subdistrict office resides, and in case of at-large candidates the signatures of at least five hundred registered voters. The election authority shall determine the validity of all signatures on declarations of candidacy.

4. In any election either for at-large candidates or candidates elected by the voters of subdistricts, if there are more than two candidates, a majority of the votes are not required to elect but the candidate having a plurality of the votes [if there is only one office to be filled and the candidates having the highest number of votes, if more than one office is to be filled,] shall be elected.

5. The names of all candidates shall appear upon the ballot without party designation and in the order of the priority of the times of filing their petitions of nomination. No candidate may file both at large and from a subdistrict and the names of all candidates shall appear only once on the ballot, nor may any candidate file more than one declaration of candidacy. All declarations shall designate the candidate's residence and whether the candidate is filing at large or from a subdistrict and the numerical designation of the subdistrict or at-large area.

6. The provisions of all sections relating to seven-director school districts shall also apply to and govern urban districts in cities of more than three hundred thousand inhabitants, to the extent applicable and not in conflict with the provisions of those sections specifically relating to such urban districts.

7. Vacancies which occur on the school board between the dates of election shall be filled by special election if such vacancy happens more than six months prior to the time of holding an election as provided in subsection 2 of this section. The state board of education shall order a special election to fill such a vacancy. A letter from the commissioner of education, delivered by certified mail to the election authority or authorities that would normally conduct an election for school board members shall be the authority for the election authority or authorities to proceed with election procedures. If a vacancy occurs less than six months prior to the time of holding an election as provided in subsection 2 of this section, no special election shall occur and the vacancy shall be filled at the next election day on which local elections are held as specified in the charter of any home rule city with more than four hundred thousand inhabitants and located in more than one county.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 5

Amend House Committee Substitute for Senate Bill No. 114, Page 20, Section 140.100, Line 12, by inserting immediately after said lines the following:

“160.415. 1. For the purposes of calculation and distribution of state school aid under section 163.031, pupils enrolled in a charter school shall be included in the pupil enrollment of the school district within which each pupil resides. Each charter school shall report the names, addresses, and eligibility for free and reduced price lunch, special education, or limited English proficiency status, as well as eligibility for categorical aid, of pupils resident in a school district who are enrolled in the charter school to the school district in which those pupils reside. The charter school shall report the average daily attendance data, free and reduced price lunch count, special education pupil count, and limited English proficiency pupil count to the state department of elementary and secondary education. Each charter school shall promptly notify the state department of elementary and secondary education and the pupil’s school district when a student discontinues enrollment at a charter school.

2. Except as provided in subsections 3 and 4 of this section, the aid payments for charter schools shall be as described in this subsection.

(1) A school district having one or more resident pupils attending a charter school shall pay to the charter school an annual amount equal to the product of the charter school’s weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers’ funds in excess of the performance levy as defined in section 163.011 plus all other state aid attributable to such pupils.

(2) The district of residence of a pupil attending a charter school shall also pay to the charter school any other federal or state aid that the district receives on account of such child.

(3) If the department overpays or underpays the amount due to the charter school, such overpayment or underpayment shall be repaid by the public charter school or credited to the public charter school in twelve equal payments in the next fiscal year.

(4) The amounts provided pursuant to this subsection shall be prorated for partial year enrollment for a pupil.

(5) A school district shall pay the amounts due pursuant to this subsection as the disbursal agent and no later than twenty days following the receipt of any such funds. The department of elementary and secondary education shall pay the amounts due when it acts as the disbursal agent within five days of the required due date.

3. A workplace charter school shall receive payment for each eligible pupil as provided under subsection 2 of this section, except that if the student is not a resident of the district and is participating in a voluntary interdistrict transfer program, the payment for such pupils shall be the same as provided under section 162.1060.

4. A charter school that has declared itself as a local educational agency shall receive from the department of elementary and secondary education an annual amount equal to the product of the charter school's weighted average daily attendance and the state adequacy target, multiplied by the dollar value modifier for the district, plus local tax revenues per weighted average daily attendance from the incidental and teachers funds in excess of the performance levy as defined in section 163.011 **except those funds designated by taxpayers in an urban district as early childhood education funds**, plus all other state aid attributable to such pupils. If a charter school declares itself as a local educational agency, the department of elementary and secondary education shall, upon notice of the declaration, reduce the payment made to the school district by the amount specified in this subsection and pay directly to the charter school the annual amount reduced from the school district's payment.

5. If a school district fails to make timely payments of any amount for which it is the disbursal agent, the state department of elementary and secondary education shall authorize payment to the charter school of the amount due pursuant to subsection 2 of this section and shall deduct the same amount from the next state school aid apportionment to the owing school district. If a charter school is paid more or less than the amounts due pursuant to this section, the amount of overpayment or underpayment shall be adjusted equally in the next twelve payments by the school district or the department of elementary and secondary education, as appropriate. Any dispute between the school district and a charter school as to the amount owing to the charter school shall be resolved by the department of elementary and secondary education, and the department's decision shall be the final administrative action for the purposes of review pursuant to chapter 536. During the period of dispute, the department of elementary and secondary education shall make every administrative and statutory effort to allow the continued education of children in their current public charter school setting.

6. The charter school and a local school board may agree by contract for services to be provided by the school district to the charter school. The charter school may contract with any other entity for services. Such services may include but are not limited to food service, custodial service, maintenance, management assistance, curriculum assistance, media services and libraries and shall be subject to negotiation between the charter school and the local school board or other entity. Documented actual costs of such services shall be paid for by the charter school.

7. In the case of a proposed charter school that intends to contract with an education service provider for substantial educational services or management services, the request for proposals shall additionally require the charter school applicant to:

(1) Provide evidence of the education service provider's success in serving student populations

similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable;

(2) Provide a term sheet setting forth the proposed duration of the service contract; roles and responsibilities of the governing board, the school staff, and the service provider; scope of services and resources to be provided by the service provider; performance evaluation measures and time lines; compensation structure, including clear identification of all fees to be paid to the service provider; methods of contract oversight and enforcement; investment disclosure; and conditions for renewal and termination of the contract;

(3) Disclose any known conflicts of interest between the school governing board and proposed service provider or any affiliated business entities;

(4) Disclose and explain any termination or nonrenewal of contracts for equivalent services for any other charter school in the United States within the past five years;

(5) Ensure that the legal counsel for the charter school shall report directly to the charter school's governing board; and

(6) Provide a process to ensure that the expenditures that the education service provider intends to bill to the charter school shall receive prior approval of the governing board or its designee.

8. A charter school may enter into contracts with community partnerships and state agencies acting in collaboration with such partnerships that provide services to children and their families linked to the school.

9. A charter school shall be eligible for transportation state aid pursuant to section 163.161 and shall be free to contract with the local district, or any other entity, for the provision of transportation to the students of the charter school.

10. (1) The proportionate share of state and federal resources generated by students with disabilities or staff serving them shall be paid in full to charter schools enrolling those students by their school district where such enrollment is through a contract for services described in this section. The proportionate share of money generated under other federal or state categorical aid programs shall be directed to charter schools serving such students eligible for that aid.

(2) A charter school shall provide the special services provided pursuant to section 162.705 and may provide the special services pursuant to a contract with a school district or any provider of such services.

11. A charter school may not charge tuition or impose fees that a school district is prohibited from charging or imposing, except that a charter school may receive tuition payments from districts in the same or an adjoining county for nonresident students who transfer to an approved charter school, as defined in section 167.131, from an unaccredited district.

12. A charter school is authorized to incur debt in anticipation of receipt of funds. A charter school may also borrow to finance facilities and other capital items. A school district may incur bonded indebtedness or take other measures to provide for physical facilities and other capital items for charter schools that it sponsors or contracts with. Except as otherwise specifically provided in sections 160.400 to 160.425, upon the dissolution of a charter school, any liabilities of the corporation will be satisfied through the procedures of chapter 355. A charter school shall satisfy all its financial obligations within twelve months of notice from the sponsor of the charter school's closure under subsection 8 of section

160.405. After satisfaction of all its financial obligations, a charter school shall return any remaining state and federal funds to the department of elementary and secondary education for disposition as stated in subdivision (17) of subsection 1 of section 160.405. The department of elementary and secondary education may withhold funding at a level the department determines to be adequate during a school's last year of operation until the department determines that school records, liabilities, and reporting requirements, including a full audit, are satisfied.

13. Charter schools shall not have the power to acquire property by eminent domain.

14. The governing body of a charter school is authorized to accept grants, gifts or donations of any kind and to expend or use such grants, gifts or donations. A grant, gift or donation may not be accepted by the governing body if it is subject to any condition contrary to law applicable to the charter school or other public schools, or contrary to the terms of the charter.

163.018. 1. Notwithstanding the definition of "average daily attendance" in subdivision (2) of section 163.011 to the contrary, pupils between the ages of three and five who are eligible for free and reduced price lunch and attend an early childhood education program:

(1) That is operated by and in a district or by a charter school that has declared itself as a local educational agency providing full-day kindergarten and that meets standards established by the state board of education; **or**

(2) That is under contract with a district or charter school that has declared itself as a local educational agency and that meets standards established by the state board of education

shall be included in the district's or charter school's calculation of average daily attendance. The total number of such pupils included in the district's or charter school's calculation of average daily attendance shall not exceed four percent of the total number of pupils who are eligible for free and reduced price lunch between the ages of five and eighteen who are included in the district's or charter school's calculation of average daily attendance.

2. (1) For any district that has been declared unaccredited by the state board of education and remains unaccredited as of July 1, 2015, and for any charter school located in said district, the provisions of subsection 1 of this section shall become applicable during the 2015-16 school year.

(2) For any district that is declared unaccredited by the state board of education after July 1, 2015, and for any charter school located in said district, the provisions of subsection 1 of this section shall become applicable immediately upon such declaration.

(3) For any district that has been declared provisionally accredited by the state board of education and remains provisionally accredited as of July 1, 2016, and for any charter school located in said district, the provisions of subsection 1 of this section shall become applicable beginning in the 2016-17 school year.

(4) For any district that is declared provisionally accredited by the state board of education after July 1, 2016, and for any charter school located in said district, the provisions of this section shall become applicable beginning in the 2016-17 school year or immediately upon such declaration, whichever is later.

(5) For all other districts and charter schools, the provisions of subsection 1 of this section shall become effective in any school year subsequent to a school year in which the amount appropriated for

subsections 1 and 2 of section 163.031 is equal to or exceeds the amount necessary to fund the entire entitlement calculation determined by subsections 1 and 2 of section 163.031, and shall remain effective in all school years thereafter, irrespective of the amount appropriated for subsections 1 and 2 of section 163.031 in any succeeding year, **provided that in the first school year in which subsection 1 of this section becomes effective under this subdivision, school districts and charter schools shall receive thirty-three percent of the funding associated with such pupils; in the second school year, school districts and charter schools shall receive sixty-six percent of the funding associated with such pupils; and in the third school year, school districts and charter schools shall receive one hundred percent of the funding associated with such pupils.**

3. This section shall not require school attendance beyond that mandated under section 167.031 and shall not change or amend the provisions of sections 160.051, 160.053, 160.054, and 160.055 relating to kindergarten attendance.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 6

Amend House Committee Substitute for Senate Bill No. 114, Page 3, Section 50.1190, Lines 1-9, by removing all of said section and lines; and

Further amend said bill, Page 4, Section 52.290, Line 27, by inserting immediately after all of said section and line the following:

“59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent required by law to the recording of any instrument specified in subdivisions (1) and (2) **of subsection 1** of section 59.330, an additional fee of [five] **six** dollars shall be charged and collected by every recorder of deeds in this state on each instrument recorded. The additional fee shall be distributed as follows:

(1) One dollar and twenty-five cents to the recorder’s fund established pursuant to subsection 1 of section 59.319, provided, however, that all funds received pursuant to this section shall be used exclusively for the purchase, installation, upgrade and maintenance of modern technology necessary to operate the recorder’s office in an efficient manner;

(2) One dollar and seventy-five cents to the county general revenue fund; and

(3) [Two] **Three** dollars to the fund established in subsection 2 of this section.

2. **(1)** There is hereby established a revolving fund known as the “Statutory County Recorder’s Fund”, which shall receive funds paid to the recorders of deeds of the counties of this state pursuant to subdivision (3) of subsection 1 of this section. The director of the department of revenue shall be custodian of the fund and shall make disbursements from the fund for the purpose of subsidizing the fees collected by counties that hereafter elect or have heretofore elected to separate the offices of clerk of the circuit court and recorder. The subsidy shall consist of the total amount of moneys collected pursuant to subdivisions (1) and (2) of subsection 1 of this section subtracted from fifty-five thousand dollars, **except if the annual average of funds collected under subsection 1 over the previous three-year period is insufficient to meet all obligations calculated in this subdivision and in which case the provisions of subdivision (2) of this subsection shall apply.** The moneys paid to qualifying counties pursuant to this subsection shall be deposited in the county general revenue fund. For purposes

of this section a “qualified county” is a county that hereafter elects or has heretofore elected to separate the offices of clerk of the circuit court and recorder and in which the office of the recorder of deeds collects less than fifty-five thousand dollars in fees pursuant to subdivisions (1) and (2) of subsection 1 of this section, on an annual basis. Moneys in the statutory county recorder’s fund shall not be considered state funds and shall be deemed nonstate funds.

(2) If funds collected under subdivision (3) of subsection 1 of this section are insufficient to meet obligations set out in subsection 1 of this section, the department of revenue shall calculate the projected shortfall that would otherwise be incurred using the formula set out above. If the fund balance is greater than the annual average disbursement of the previous three years, then up to thirty-three percent of such excess may be used to meet the obligation. If this amount is insufficient or unavailable, the director of the department of revenue shall set a new requisite amount to determine a qualified county under subdivision (1) of this subsection other than fifty-five thousand dollars, which reflects the revenue collected under subdivision (3) of subsection 1 of this section plus an additional thirty-three percent should the balance exist in the statutory recorder’s fund.”; and

Further amend said bill, Pages 18 and 19, Section 137.280, Lines 49-56, by deleting all of said lines and inserting in lieu thereof the following:

“4. If annual waivers exceed forty percent then by February first of each year the assessor shall transmit to the county employees’ retirement fund an electronic or paper copy of the log maintained under subsection 3 of section 50.1020 for the prior calendar year.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 7

Amend House Amendment No. 7 to House Committee Substitute for Senate Bill No. 114, Page 2, Line 5, by inserting immediately after all of said line the following:

“Further amend said bill, Page 4, Section 67.142, Line 10, by inserting immediately after all of said section and line the following:

“67.307. 1. As used in this section, the following terms mean:

(1) “Law enforcement officer”, a sheriff or peace officer of a municipality with the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of municipalities;

(2) “Municipality”, any county, city, town, or village;

(3) “Municipality official”, any elected or appointed official or any law enforcement officer serving the municipality;

(4) “Sanctuary policy”, any municipality's order [or], ordinance, **or law enforcement policy, regardless of whether formally enacted or [followed] informally adopted**, that:

(a) Limits or prohibits any municipality official or person employed by the municipality from communicating or cooperating with federal agencies or officials to verify or report the immigration

status of any alien within such municipality; [or]

(b) Grants to illegal aliens the right to lawful presence or status within the municipality in violation of federal law[.];

(c) Violates 8 U.S.C. Section 1373 in any way;

(d) Restricts in any way, or imposes any conditions upon, the municipality's cooperation or compliance with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of any alien or to transfer any alien to the custody of United States Immigration and Customs Enforcement;

(e) Requires United States Immigration and Customs Enforcement to obtain a warrant or demonstrate probable cause before complying with detainers or other requests from United States Immigration and Customs Enforcement to maintain custody of any alien or to transfer any alien to the custody of United States Immigration and Customs Enforcement; or

(f) Prevents the municipality's law enforcement officers from asking any individual his or her citizenship or immigration status.

2. No municipality shall enact or adopt any sanctuary policy. Any municipality that enacts or adopts a sanctuary policy shall be ineligible for any moneys provided through grants administered by any state agency or department until the sanctuary policy is repealed or is no longer in effect. Upon the complaint of any state resident regarding a specific government entity, agency, or political subdivision of this state or prior to the provision of funds or awarding of any grants to a government entity, agency, or political subdivision of this state, any member of the general assembly may request that the attorney general of the state of Missouri issue an opinion stating whether the government entity, agency, or political subdivision has current policies in contravention of this section.

3. The governing body, sheriff, or chief of police of each municipality shall provide each law enforcement officer with written notice of their duty to cooperate with state and federal agencies and officials on matters pertaining to enforcement of state and federal laws governing immigration.

4. This section shall become effective on January 1, 2009.”; and”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 7

Amend House Committee Substitute for Senate Bill No. 114, Page 1, Section A, Line 6, by inserting immediately after said section and line the following:

“43.505. 1. The department of public safety is hereby designated as the central repository for the collection, maintenance, analysis and reporting of crime incident activity generated by law enforcement agencies in this state. The department shall develop and operate a uniform crime reporting system that is compatible with the national uniform crime reporting system operated by the Federal Bureau of Investigation.

2. The department of public safety shall:

(1) Develop, operate and maintain an information system for the collection, storage, maintenance, analysis and retrieval of crime incident and arrest reports from Missouri law enforcement agencies;

(2) Compile the statistical data and forward such data as required to the Federal Bureau of Investigation or the appropriate Department of Justice agency in accordance with the standards and procedures of the national system;

(3) Provide the forms, formats, procedures, standards and related training or training assistance to all law enforcement agencies in the state as necessary for such agencies to report incident and arrest activity for timely inclusion into the statewide system;

(4) Annually publish a report on the nature and extent of crime and submit such report to the governor and the general assembly. Such report and other statistical reports shall be made available to state and local law enforcement agencies and the general public through an electronic or manual medium;

(5) Maintain the privacy and security of information in accordance with applicable state and federal laws, regulations and orders; and

(6) Establish such rules and regulations as are necessary for implementing the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

3. Every law enforcement agency in the state shall:

(1) Submit crime incident reports to the department of public safety on forms or in the format prescribed by the department; and

(2) Submit any other crime incident information which may be required by the department of public safety.

4. Any law enforcement agency that violates this section **after December 31, 2021**, may be ineligible to receive state or federal funds which would otherwise be paid to such agency for law enforcement, safety or criminal justice purposes.”; and

Further amend said bill, Page 30, Section 475.120, Line 43, by inserting after all of said section and line the following:

“488.5320. 1. Sheriffs, county marshals or other officers shall be allowed a charge for their services rendered in criminal cases and in all proceedings for contempt or attachment, as required by law, the sum of seventy-five dollars for each felony case or contempt or attachment proceeding, ten dollars for each misdemeanor case, and six dollars for each infraction, including cases disposed of by a violations bureau established pursuant to law or supreme court rule. Such charges shall be charged and collected in the manner provided by sections 488.010 to 488.020 and shall be payable to the county treasury; except that, those charges from cases disposed of by a violations bureau shall be distributed as follows: one-half of the charges collected shall be forwarded and deposited to the credit of the MODEX fund established in subsection 6 of this section for the operational cost of the Missouri data exchange (MODEX) system, and one-half of the charges collected shall be deposited to the credit of the inmate

security fund, established in section 488.5026, of the county or municipal political subdivision from which the citation originated. If the county or municipal political subdivision has not established an inmate security fund, all of the funds shall be deposited in the MODEX fund.

2. [Notwithstanding subsection 1 of this section to the contrary, sheriffs, county marshals, or other officers in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants or in any city not within a county shall not be allowed a charge for their services rendered in cases disposed of by a violations bureau established pursuant to law or supreme court rule.

3.] The sheriff receiving any charge pursuant to subsection 1 of this section shall reimburse the sheriff of any other county or the City of St. Louis the sum of three dollars for each pleading, writ, summons, order of court or other document served in connection with the case or proceeding by the sheriff of the other county or city, and return made thereof, to the maximum amount of the total charge received pursuant to subsection 1 of this section.

[4.] 3. The charges provided in subsection 1 of this section shall be taxed as other costs in criminal proceedings immediately upon a plea of guilty or a finding of guilt of any defendant in any criminal procedure. The clerk shall tax all the costs in the case against such defendant, which shall be collected and disbursed as provided by sections 488.010 to 488.020; provided, that no such charge shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court; provided further, that all costs, incident to the issuing and serving of writs of scire facias and of writs of fieri facias, and of attachments for witnesses of defendant, shall in no case be paid by the state, but such costs incurred under writs of fieri facias and scire facias shall be paid by the defendant and such defendant's sureties, and costs for attachments for witnesses shall be paid by such witnesses.

[5.] 4. Mileage shall be reimbursed to sheriffs, county marshals and guards for all services rendered pursuant to this section at the rate prescribed by the Internal Revenue Service for allowable expenses for motor vehicle use expressed as an amount per mile.

[6.] 5. (1) There is hereby created in the state treasury the "MODEX Fund", which shall consist of money collected under subsection 1 of this section. The fund shall be administered by the peace officers standards and training commission established in section 590.120. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, money in the fund shall be used solely for the operational support and expansion of the MODEX system.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The MODEX fund may accept funds from federal, state, local, and private entities which utilize the information from the fund to fight fraud and other activities which are in the best interest of law enforcement or the state of Missouri.

7. Any information in MODEX which is open under the provisions of chapter 610 is considered open and is not Criminal Justice Information Services data. Any information in MODEX may be shared with any other law enforcement agency, division, or department of the state of Missouri, or other entity approved by the peace officer standards and training

commission, for the purpose of anti-fraud efforts.

513.653. 1. Law enforcement agencies involved in using the federal forfeiture system under federal law shall file a report regarding federal seizures and the proceeds therefrom. Such report shall be filed annually by [January thirty-first] **February fifteenth** for the previous calendar year with the [department of public safety and the] state auditor's office. The report for the calendar year shall [include the type and value of items seized and turned over to the federal forfeiture system, the beginning balance as of January first of federal forfeiture funds or assets previously received and not expended or used, the proceeds received from the federal government (the equitable sharing amount), the expenditures resulting from the proceeds received, and the ending balance as of December thirty-first of federal forfeiture funds or assets on hand. The department of public safety shall not issue funds to any law enforcement agency that fails to comply with the provisions of this section] **consist of a copy of the federal form entitled "ACA Form - Equitable Sharing Agreement and Certification" which is identical to the form submitted in that year to the federal government.**

2. [Intentional] **Any law enforcement agency that intentionally** or [knowing failure] **knowingly fails** to comply with the reporting requirement contained in this section shall be [a class A misdemeanor, punishable by a fine of up to one thousand dollars] **ineligible to receive state or federal funds which would otherwise be paid to such agency for law enforcement, safety, or criminal justice purposes.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1, HA 2, HA 3, HA 1 to HA 4, HA 4** as amended, to **SB 222**, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 222**, as amended. Representatives: Korman, Reiboldt, Tate, McCreery, Razer.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SB 225**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS for SB 225**, as amended. Representatives: Davis, Fraker, McGaugh, Runions, Burns.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 112**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 112**, as amended. Representatives: Tate, Fraker, Bondon, Adams, McCreery.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 355**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 355**, as amended. Representatives: Alferman, Lichtenegger, Rowland (155), Kendrick, Dunn.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 501**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 501**, as amended. Representatives: Stephens (128), Neely, Wiemann, Walker (74), Stevens (46).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 421**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 421**, as amended. Representatives: Kidd, Engler, Kelley (127), Rowland (29), Anders.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SS** for **SB 35**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee

to act with a like committee from the Senate on **HCS** for **SS** for **SB 35**, as amended. Representatives: Ross, Christofanelli, Kelly (141), Pierson Jr., Rowland (29).

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SCS** for **SB 11**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 11**, as amended. Representatives: Fraker, Alferman, Mathews, Wessels, McCreery.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1**, **HA 2**, **HA 1** to **HA 3**, **HA 2** to **HA 3**, **HA 3** as amended, **HA 1** to **HA 4**, **HA 4** as amended to **SCS No. 2** for **SB 128**, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SCS No. 2** for **SB 128**, as amended. Representatives: Roeber, McGaugh, Plocher, Mitten, Ellebracht.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 11**, as amended: Senators Wasson, Cunningham, Sater, Walsh and Schupp.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SS** for **SB 35**, as amended: Senators Cunningham, Sater, Riddle, Rizzo and Sifton.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 112**, as amended: Senators Schatz, Hegeman, Hoskins, Curls and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SCS No. 2** for **SB 128**, as amended: Senators Dixon, Libla, Romine, Sifton and Chappelle-Nadal.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 222**, as amended: Senators Riddle, Munzlinger, Hegeman, Hummel and Curls.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 225**, as amended: Senators Schatz, Wasson, Munzlinger, Hummel and Schupp.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 355**, as amended: Senators Romine, Libla, Hoskins, Hummel and Curls.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 421**, as amended: Senators Rizzo, Hummel, Hoskins, Wasson and Kraus.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 501**, as amended: Senators Sater, Onder, Brown, Schupp and Chappelle-Nadal.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SB 30**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Hegeman moved that **HCS** for **HBs 1194** and **1193**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

Senator Rowden assumed the Chair.

At the request of Senator Hegeman, **HCS** for **HBs 1194** and **1193**, with **SS** and **SA 1** (pending), was placed on the Informal Calendar.

RESOLUTIONS

Senator Curls offered Senate Resolution No. 995, regarding Zakiah Marshall, Ashland, which was adopted.

Senator Curls offered Senate Resolution No. 996, regarding Brendan Simpson, Arnold, which was adopted.

Senator Curls offered Senate Resolution No. 997, regarding Khaiuna Ayetimiyyi, Poplar Bluff, which was adopted.

Senator Walsh offered Senate Resolution No. 998, regarding Christopher Hornsey, which was adopted.

Senator Onder offered Senate Resolution No. 999, regarding Alexis Pearl Lesch, O'Fallon, which was adopted.

Senator Curls offered Senate Resolution No. 1000, regarding the death of Curtis C. Jones, Sr., Kansas City, which was adopted.

Senator Kraus offered Senate Resolution No. 1001, regarding Taylor Hord, Blue Springs, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1002, regarding Roxane Gaston, Bowling Green, which was adopted.

Senator Sater offered Senate Resolution No. 1003, regarding the Seventieth Wedding Anniversary of Carroll and Eileen McIntosh, Forsyth, which was adopted.

Senator Sater offered Senate Resolution No. 1004, regarding Donnie Stumpff, Cassville, which was adopted.

Senator Walsh offered Senate Resolution No. 1005, regarding the death of Dorothy Jean Cannon, Florissant, which was adopted.

Senator Romine offered Senate Resolution No. 1006, regarding Sharon Smith, Sainte Genevieve, which was adopted.

INTRODUCTION OF GUESTS

Senator Brown introduced to the Senate, his grandchildren, Rio Sherrell and Kennedy Brown; and students from Mark Twain Elementary School, Rolla.

Senator Rizzo introduced to the Senate, his wife, Lindsay, and their daughters Sofia and Ella.

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SEVENTIETH DAY—THURSDAY, MAY 11, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCB 10-Engler	HCS for HB 670
HCS for HB 619	HB 743-Conway
HCS for HB 162	HB 824-Reiboldt
HB 97-Swan	HCS for HB 384
HCS for HB 293	HCS for HB 886
HCS for HB 219	HCB 7-Fitzwater
HCS for HB 324	HCB 1-McGaugh
HCS for HB 746	HCS for HB 608
HCS for HB 194	HCS for HB 380
HCS for HBs 960, 962 & 828	

THIRD READING OF SENATE BILLS

SCS for SB 495-Riddle

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|-----------------------------|
| 1. SB 535-Wallingford | 9. SB 483-Holsman |
| 2. SB 523-Sater, with SCS | 10. SB 498-Nasheed |
| 3. SB 480-Kraus | 11. SB 251-Kehoe, with SCS |
| 4. SB 407-Riddle, with SCS | 12. SB 528-Hegeman |
| 5. SB 353-Wallingford, with SCS | 13. SB 307-Munzlinger |
| 6. SB 380-Riddle | 14. SB 472-Hoskins |
| 7. SB 297-Hummel, with SCS | 15. SB 524-Koenig, with SCS |
| 8. SB 474-Schatz | |

HOUSE BILLS ON THIRD READING

- | | |
|--|--|
| 1. HCS for HB 381, with SCS (Hegeman) | 30. HCS for HB 631, with SCS (Emery) |
| 2. HB 58-Haefner (Onder) | 31. HCS for HB 348 (Romine) |
| 3. HB 175-Reiboldt, with SCS (Munzlinger) | 32. HJR 10-Brown (Romine) |
| 4. HB 327-Morris (Curls) | 33. HCS#2 for HB 502 (Rowden) |
| 5. HB 680-Fitzwater, with SCS (Wasson) | 34. HCS for HB 304, with SCS (Koenig) |
| 6. HCS for HB 57-Haefner, with SCS
(Libla) | 35. HB 871-Davis, with SCS (Kraus) |
| 7. HCS for HB 422 (Dixon) | 36. HB 843-McGaugh, with SCS (Hegeman) |
| 8. HB 245-Rowland, with SCS (Cunningham) | 37. HB 200-Fraker, with SCS (Sater) |
| 9. HB 262-Sommer (Hoskins) | 38. HCS for HB 703 (Hegeman) |
| 10. HCS for HB 270 (Rowden) | 39. HB 956-Kidd, with SCS (Rizzo) |
| 11. HCS for HB 661, with SCS (Emery) | 40. HCS for HB 199, with SCS (Cunningham) |
| 12. HB 758-Cookson, with SCS (Hegeman) | 41. HB 87-Henderson, with SCS (Romine) |
| 13. HCS for HB 138, with SCS (Onder) | 42. HB 587-Redmon, with SCS (Hegeman) |
| 14. HCS for HB 441 (Rowden) | 43. HCS for HB 258, with SCS (Munzlinger) |
| 15. HCS for HB 253, with SCS (Romine) | 44. HB 349-Brown, with SCS (Sater) |
| 16. HB 94-Lauer (Romine) | 45. HCS for HB 316, with SCS
(Wallingford) |
| 17. HB 248-Fitzwater, with SCS
(Cunningham) | 46. HB 558-Ross, with SCS (Schatz) |
| 18. HB 289-Fitzpatrick, with SCS (Rowden) | 47. HB 586-Rhoads (Rowden) |
| 19. HB 493-Bondon, with SCS (Silvey) | 48. HB 256-Rhoads, with SCS (Munzlinger) |
| 20. HB 52-Andrews (Hegeman) | 49. HCS for HB 645 (Sater) |
| 21. HCS for HB 647, with SCS (Sater) | 50. HCS for HB 183 (Nasheed) |
| 22. HCS for HB 353, with SCS (Sater) | 51. HCS for HB 542 (Schatz) |
| 23. HCS for HB 54, with SCS (Emery) | 52. HB 61-Alferman (Schatz) |
| 24. HB 355-Bahr (Eigel) | 53. HB 128, HB 678, HB 701 &
HB 964-Davis, with SCS (Richard) |
| 25. HCS for HB 122, with SCS (Onder) | 54. HB 811-Ruth (Wieland) |
| 26. HCS for HB 230, with SCS (Koenig) | 55. HB 805-Basye (Rowden) |
| 27. HB 700-Cookson, with SCS (Libla) | 56. HB 664-Korman (Riddle) |
| 28. HB 1045-Haahr (Wasson) | 57. HB 105-Love (Kraus) |
| 29. HB 909-Fraker (Wasson) | 58. HB 849-Pfautsch (Kraus) |

- | | |
|--|---------------------------------------|
| 59. HCS for HB 260, with SCS (Sater) | 76. HCS for HB 261 (Onder) |
| 60. HCS for HB 1158, with SCS (Riddle) | 77. HB 294-Lynch (Brown) |
| 61. HCS for HB 159 (Brown) | 78. HCS for HB 303 (Onder) |
| 62. HB 598-Cornejo (Hegeman) | (In Fiscal Oversight) |
| 63. HB 469-Gannon, with SCS (Romine) | 79. HCS for HB 174, with SCS |
| 64. HCS for HB 935, with SCS (Walsh) | (Wallingford) |
| 65. HB 193-Kelley (Emery) | 80. HCS for HB 142 (Hoskins) |
| 66. HB 281-Rowland (Sater) | 81. HCS for HB 247, with SCS (Schatz) |
| 67. HB 568-Tate, with SCS (Schatz) | 82. HCS for HB 334, with SCS |
| 68. HCS for HB 741, with SCS (Wieland) | (Wallingford) (In Fiscal Oversight) |
| 69. HB 815-Basye, with SCS (Riddle) | 83. HB 571-Engler, with SCS (Romine) |
| 70. HB 557-Ross (Cunningham) | (In Fiscal Oversight) |
| 71. HCS for HB 694 (Cunningham) | 84. HCS for HB 656, with SCS (Rowden) |
| 72. HCS for HB 225 (Munzlinger) | 85. HCS for HB 330 (Wasson) |
| 73. HCS for HB 181 (Sater) | 86. HB 209-Wiemann, with SCS (Riddle) |
| 74. HB 697-Trent (Rowden) | (In Fiscal Oversight) |
| 75. HB 719-Rhoads (Munzlinger) | |

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------------|-----------------------------------|
| SB 5-Richard | SB 96-Sater and Emery |
| SB 6-Richard, with SCS | SB 97-Sater, with SCS |
| SB 13-Dixon | SB 102-Cunningham, with SCS |
| SB 20-Brown | SB 103-Wallingford |
| SB 21-Brown | SB 109-Holsman, with SCS |
| SB 28-Sater, with SCS (pending) | SB 115-Schupp, with SCS |
| SB 32-Emery, with SCS | SB 117-Schupp, with SCS |
| SBs 37 & 244-Silvey, with SCS, SS for | SB 122-Munzlinger, with SCS |
| SCS & SA 1 (pending) | SB 123-Munzlinger |
| SB 41-Wallingford and Emery, with SS, | SB 126-Wasson |
| SA 1 & SA 1 to SA 1 (pending) | SB 129-Dixon and Sifton, with SCS |
| SBs 44 & 63-Romine, with SCS | SB 130-Kraus, with SCS |
| SB 46-Libla, with SCS | SB 133-Chappelle-Nadal |
| SB 61-Hegeman, with SCS | SB 138-Sater |
| SB 67-Onder, et al, with SS, SA 1 & | SB 141-Emery |
| SSA 1 for SA 1 (pending) | SB 142-Emery |
| SB 68-Onder and Nasheed | SB 144-Wallingford |
| SB 76-Munzlinger | SB 145-Wallingford, with SCS |
| SB 80-Wasson, with SCS | SB 147-Romine |
| SB 81-Dixon | SB 156-Munzlinger, with SCS |
| SB 83-Dixon | SB 157-Dixon, with SCS |
| SB 85-Kraus, with SCS | SB 158-Dixon |

- SB 163-Romine
SB 169-Dixon, with SCS
SB 171-Dixon and Sifton, with SCS
SB 176-Dixon
SB 177-Dixon, with SCS
SB 178-Dixon
SB 180-Nasheed, with SCS
SB 183-Hoskins, with SCS
SB 184-Emery, with SS (pending)
SB 185-Onder, et al, with SCS
SB 188-Munzlinger, with SCS
SB 189-Kehoe, with SCS
SB 190-Emery, with SCS & SS#2 for SCS
(pending)
SB 196-Koenig
SB 199-Wasson
SB 200-Libla
SB 201-Onder, with SCS
SB 203-Sifton, with SCS
SB 207-Sifton
SB 209-Wallingford
SB 210-Onder, with SCS
SB 220-Riddle, with SCS & SS for SCS
(pending)
SB 221-Riddle
SB 223-Schatz, with SCS
SB 227-Koenig, with SCS
SB 228-Koenig, with SS & SA 1 (pending)
SB 230-Riddle
SB 232-Schatz
SB 233-Wallingford
SB 234-Libla, with SCS
SB 239-Rowden, with SCS
SB 242-Emery, with SCS
SB 243-Hegeman
SB 247-Kraus, with SCS
SB 250-Kehoe
SB 252-Dixon, with SCS
SB 258-Munzlinger
SB 259-Munzlinger
SB 260-Munzlinger
SB 261-Munzlinger
SB 262-Munzlinger
SB 263-Riddle
SB 264-Dixon
SB 267-Schatz, with SCS
SB 271-Wasson and Richard, with SCS
SB 280-Hoskins, with SCS
SB 284-Hegeman, with SCS
SBs 285 & 17-Koenig, with SCS
SB 286-Rizzo
SB 290-Schatz, with SCS
SB 295-Schaaf, with SCS
SB 298-Curls
SB 303-Wieland, with SCS
SB 305-Kehoe, et al, with SS, SA 3 &
SA 1 to SA 3 (pending)
SB 311-Wasson, with SCS
SBs 314 & 340-Schatz, et al, with SCS
SB 316-Rowden, with SCS
SB 325-Kraus
SBs 327, 238 & 360-Romine, with SCS
SB 328-Romine, with SCS & SA 3 (pending)
SB 330-Munzlinger
SB 331-Hegeman
SB 333-Schaaf, with SCS
SB 336-Wieland
SB 341-Nasheed, with SCS
SB 348-Wasson, with SA 1 (pending)
SB 349-Wasson
SB 358-Wieland
SB 362-Hummel
SB 368-Rowden
SB 371-Schaaf, with SA 2 & SSA 1 for
SA 2 (pending)
SB 378-Wallingford
SB 379-Schatz
SB 381-Riddle
SB 383-Eigel and Wieland
SB 384-Rowden, with SCS
SB 389-Sater, with SCS
SB 391-Munzlinger
SB 392-Holsman
SB 406-Wasson and Sater
SB 409-Koenig
SB 410-Schatz
SB 413-Munzlinger
SB 418-Hegeman, with SCS

SB 419-Riddle
 SB 422-Cunningham, with SCS
 SB 426-Wasson, with SCS
 SB 427-Wasson
 SB 430-Cunningham, with SCS
 SB 433-Sater, with SCS
 SB 435-Cunningham, with SCS
 SB 442-Hegeman
 SB 445-Rowden
 SB 448-Emery
 SB 451-Nasheed, with SS (pending)
 SB 468-Hegeman

SB 469-Schatz
 SB 475-Schatz
 SB 485-Hoskins
 SB 517-Wasson
 SB 518-Emery
 SB 526-Brown
 SB 532-Hoskins
 SJR 5-Emery, with SCS (pending)
 SJR 9-Romine, with SCS
 SJR 11-Hegeman, with SCS
 SJR 12-Eigel
 SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)
 HCS for HB 66, with SCS (Sater)
 HB 85-Redmon, with SCS (Hegeman)
 HCS for HBs 91, 42, 131, 265 & 314
 (Brown)
 HB 95-McGaugh (Emery)
 HB 104-Love (Brown)
 HCS for HB 115, with SCS (Wasson)
 HB 207-Fitzwater (Romine)
 HB 251-Taylor, with SCS, SS for SCS,
 SA 2 & SA 3 to SA 2 (pending) (Onder)
 HB 288-Fitzpatrick (Kehoe)
 HCS for HBs 302 & 228, with SCS, SS for
 SCS & SA 5 (pending) (Schatz)

HCS for HBs 337, 259 & 575 (Schatz)
 HCS for HB 427, with SCS (Kehoe)
 HCS for HB 452, with SA 1 (pending)
 (Rowden)
 HCS for HB 460, with SS & SA 1 (pending)
 (Munzlinger)
 HB 461-Kolkmeier (Munzlinger)
 HB 462-Kolkmeier (Munzlinger)
 HB 655-Engler (Dixon)
 HCS for HB 831, with SCS (pending)
 (Hummel)
 HCS for HBs 1194 & 1193, with SS & SA 1
 (pending) (Hegeman)

SENATE BILLS WITH HOUSE AMENDMENTS

SB 114-Schatz, with HCS, as amended
 SCS for SB 322-Wieland and Romine, with
 HA 1 & HA 2

SB 394-Romine, with HCS, as amended
 SB 488-Kehoe, with HCS
 SB 503-Munzlinger, with HA 1, HA 2 & HA 3

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
 as amended, HA 4, HA 5, HA 6, HA 7,
 HA 8, as amended & HA 9, as amended

SCS for SB 11-Wasson, with HCS, as amended
 SS for SB 34-Cunningham, with HCS,
 as amended

SS for SB 35-Cunningham, with HCS,
as amended
SB 50-Walsh, with HA 1, HA 2, HA 3,
HA 4, HA 5, as amended, HA 6,
as amended, HA 7, as amended, HA 8,
HA 9, HA 10, as amended, HA 11, HA 12,
as amended, HA 13, HA 14 & HA 15
(Senate adopted CCR and passed CCS)
SS for SB 62-Hegeman, with HCS,
as amended
SB 64-Schatz, with HA 1, HA 2 & HA 3
SB 111-Hegeman, with HCS, as amended
SCS for SB 112-Schatz, with HCS,
as amended
SCS#2 for SB 128-Dixon, with HA 1,
HA 2, HA 3, as amended & HA 4,
as amended

SCS for SB 139-Sater, with HCS,
as amended
SB 222-Riddle, with HA 1, HA 2, HA 3 &
HA 4, as amended
SB 225-Schatz, with HCS, as amended
SB 283-Hegeman, with HCS, as amended
SB 302-Wieland, with HCS, as amended
SCS for SB 355-Romine, with HCS,
as amended
SCS for SB 421-Rizzo, with HCS,
as amended
SB 501-Sater, with HCS, as amended
HCS for HB 19, with SCS (Brown)
HCS for HBs 90 & 68, with SS, as amended
(Schatz)

Requests to Recede or Grant Conference

SB 30-Sater, with HCS, as amended
(Senate requests House recede or
grant conference)
SB 411-Schatz, with HA 1, HA 2, HA 3,
as amended, HA 4 & HA 5, as amended
(Senate requests House recede & take
up and pass bill)

HCB 3-Fitzpatrick, with SS (Koenig)
(Senate refuses to recede & requests
House take up and pass bill)

RESOLUTIONS

SR 197-Richard
SR 891-Romine

SR 917-Silvey

Reported from Committee

SCR 6-Walsh
SCR 17-Curls
SCR 18-Wallingford

SCR 25-Cunningham, with SCS (pending)
HCR 6-Justus (Sater)
HCR 28-Rowland (Kehoe)

Journal of the Senate

FIRST REGULAR SESSION

SEVENTIETH DAY—THURSDAY, MAY 11, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Let your steadfast love, O Lord, be upon us, even as we hope in you.” (Psalm 33:22)

Gracious God, our souls hunger for You to be with us this day, for it will be filled with tension and stress. But we know that You willingly provide us hope and love for our lives. We ask that you bring us a sense of joy in Your presence so we can convey with our lives and decisions that we trust in You and desire always to do that which pleases You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from St. Louis Public Radio, Associated Press, KMIZ-TV and KSDK-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Libla offered Senate Resolution No. 1007, regarding OAKS Senior Nutrition Center, Kennett, which was adopted.

Senator Hummel offered Senate Resolution No. 1008, regarding Ryan Michael Jones, Kearney, which was adopted.

Senator Munzlinger offered Senate Resolution No. 1009, regarding the Fiftieth Anniversary of Public Water Supply District #1, Macon County, which was adopted.

REMONSTRANCES

Senator Wallingford offered the following remonstrance:

SENATE REMONSTRANCE NO. 1

Whereas, the \$2.5 million reduction in state funding has the potential of devastating the operations of Centers for Independent Living (CIL), causing layoffs, reduction in services and possible closure of some CILs; and

Whereas, CILs are the most cost efficient, effective, and prudent providers of opportunities and services to people with disabilities. They offer a range of services to anyone regardless of disability and help encourage and develop in Missouri citizens with disability a sense of identity, independence, and initiative; and

Whereas, CILs provide training, socialization, employment, and other services based on five core services upon which the IL grant is based. By so severely cutting those funds, we put at risk these unique opportunities for people with disabilities which are all too rare and often unavailable any where else; and

Whereas, there is great misunderstanding concerning these organizations and that ignorance has led to CILs being taken for granted. The IL grant is wholly different and completely separate from any contract services (such as Medicaid home and community based services) or other grants for which a CIL may qualify. CILs are nonprofits whose primary concern is mission not money; and

Whereas, last year CILs served 25,118 and were already extremely underfunded. The current cut will mean a 41% cut in services offered by CILs with only 14,820 being served next year; and

Whereas, CILs across the state are at risk of closing; and

Whereas, the 22 CILs in Missouri employ 245 staff. This \$2.5 million dollar cut may result in approximately a 37% reduction in staff or 90 people losing their jobs; and

Whereas, the average funding level for each CIL will decrease from \$203,897 to \$120,059; and

Whereas, because the progress which resulted in the establishment of Centers for Independent Living was the result of protracted struggle, self-sacrifice, patient negotiation, and the hope of building more equitable communities is now at risk, it should be understood in no uncertain terms what is at risk in our state because of the impact of these cuts:

Now Therefore Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, First Regular Session, hereby remonstrate against cutting CIL funding.

CONCURRENT RESOLUTIONS

Senator Kehoe moved that **HCR 28** be taken up for adoption, which motion prevailed.

On motion of Senator Kehoe, **HCR 28** was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curts	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Rizzo—1

Absent with leave—Senators—None

Vacancies—1

HOUSE BILLS ON SECOND READING

The following Bills were read the 2nd time and referred to the Committees indicated:

HCB 10—Insurance and Banking.

HCS for HB 619—Health and Pensions.

HCS for HB 162—Transportation, Infrastructure and Public Safety.

HB 97—Education.

HCS for HB 293—Transportation, Infrastructure and Public Safety.

HCS for HB 219—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 324—Education.

HCS for HB 746—Insurance and Banking.

HCS for HB 194—Seniors, Families and Children.

HCS for HBs 960, 962 & 828—Ways and Means.

HCS for HB 670—Education.

HB 743—Judiciary and Civil and Criminal Jurisprudence.

HB 824—Transportation, Infrastructure and Public Safety.

HCS for HB 384—Agriculture, Food Production and Outdoor Resources.

HCS for HB 886—Health and Pensions.

HCB 7—General Laws.

HCB 1—Judiciary and Civil and Criminal Jurisprudence.

HCS for HB 608—Economic Development.

HCS for HB 380—Transportation, Infrastructure and Public Safety.

HOUSE BILLS ON THIRD READING

HB 104, introduced by Representative Love, entitled:

An Act to repeal sections 8.675, 8.683, 34.217, 89.410, 285.500, 290.095, 290.210, 290.220, 290.230,

290.240, 290.250, 290.260, 290.262, 290.263, 290.265, 290.270, 290.280, 290.290, 290.300, 290.305, 290.315, 290.320, 290.325, 290.330, 290.335, 290.340, 290.550, 292.630, 393.715, 516.130, and 630.546, RSMo, and to enact in lieu thereof eleven new sections relating to the prevailing wage on public works.

Was taken up by Senator Brown.

Senator Schatz offered SS for **HB 104**, entitled:

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 104

An Act to repeal sections 290.210, 290.220, 290.230, 290.260, and 290.262, RSMo, and to enact in lieu thereof four new sections relating to public contracts.

Senator Schatz moved that SS for **HB 104** be adopted.

At the request of Senator Brown, **HB 104**, with SS (pending), was placed on the Informal Calendar.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed SS for SCS for **SB 49**.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to Senate Substitute for Senate Committee Substitute for Senate Bill No. 49, Page 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

“Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 49, Page 4, Section 67.547, Lines 44-45, by deleting all of said lines and inserting in lieu thereof the following:

“2017. Beginning August 28, 2017, no county shall submit to the voters any proposal that results in a combined rate of sales taxes adopted under this section in excess of one percent.”

Further amend said bill, Page 7, Section 94.510, Lines 27-29, by deleting all of said lines and inserting in lieu thereof the following:

“three-eighths percent. Beginning August 28, 2017, no city shall submit to the voters any proposal that results in a combined rate of sales taxes adopted under this section in excess of two percent.” ; and”;

Further amend said bill, Page 8, Section”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Committee Substitute for Senate Bill No. 49, Page 8, Section 94.510, Line 52, by inserting immediately after all of said section and line the following:

“144.026. The director of revenue shall not send notice to any taxpayer under subsection 2 of section

144.021 regarding the decision in IBM Corporation v. Director of Revenue, [Case No. 94999] **491 S.W.3d 535** (Mo. banc 2016) prior to August 28, [2017] **2018.**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 30**, as amended, and grants the Senate a conference thereon.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 30**, as amended: Senators Sater, Hegeman, Cunningham, Walsh and Schupp.

PRIVILEGED MOTIONS

Senator Walsh moved that **SS** for **SCS** for **SB 49**, with **HA 1** to **HA 1** and **HA 1**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1, as amended was taken up

Senator Walsh moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Walsh, **SS** for **SCS** for **SB 49**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford

Walsh

Wasson

Wieland—31

NAYS—Senators

Eigel

Onder—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Walsh, title to the bill was agreed to.

Senator Walsh moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HCS** for **HB 292**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 95**, entitled:

An Act to repeal sections 50.622 and 108.170, RSMo, and to enact in lieu thereof two new sections relating to local government financial transactions.

With House Amendment No. 1, House Amendment No. 2 and House Amendment No. 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 95, Page 5, Section 108.170, Line 132, by inserting after said section and line the following:

“110.010. 1. The public funds of every county, township, city, town, village, school district of every character, road district, sewer district, fire protection district, **ambulance district**, water supply district, drainage or levee district, state hospital, state schools for the mentally deficient, Missouri School for the Deaf, Missouri School for the Blind, Missouri Training School for Boys, training school for girls, Missouri Veterans’ Home, Missouri State Chest Hospital, state university, Missouri state teachers’ colleges, Lincoln University, which are deposited in any banking institution acting as a legal depositary of the funds under the statutes of Missouri requiring the letting and deposit of the same and the furnishing of security therefor, shall be secured by the deposit of securities of the character prescribed by section 30.270 for the security of funds deposited by the state treasurer.

2. The securities shall, at the option of the depositary banking institution, be delivered either to the fiscal

officer or the governing body of the municipal corporation or other depositor of the funds, or by depositing the securities with another banking institution or safe depository as trustee satisfactory to both parties to the depository agreement. The trustee may be a bank owned or controlled by the same bank holding company as the depository banking institution.

3. The rights and duties of the several parties to the depository contract shall be the same as those of the state and the depository banking institution respectively under section 30.270. If a depository banking institution deposits the bonds or securities with a trustee as above provided, and the municipal corporation or other depositor of funds gives notice in writing to the trustee that there has been a breach of the depository contract and makes demand in writing on the trustee for the securities, or any part thereof, then the trustee shall forthwith surrender to the municipal corporation or other depositor of funds a sufficient amount of the securities to fully protect the depositor from loss and the trustee shall thereby be discharged of all further responsibility in respect to the securities so surrendered.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 95, Page 2, Section 50.622, Line 22, by inserting the following after all of said line:

“59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent required by law to the recording of any instrument specified in subdivisions (1) and (2) **of subsection 1** of section 59.330, an additional fee of [five] ~~six~~ dollars shall be charged and collected by every recorder of deeds in this state on each instrument recorded. The additional fee shall be distributed as follows:

(1) One dollar and twenty-five cents to the recorder’s fund established pursuant to subsection 1 of section 59.319, provided, however, that all funds received pursuant to this section shall be used exclusively for the purchase, installation, upgrade and maintenance of modern technology necessary to operate the recorder’s office in an efficient manner;

(2) One dollar and seventy-five cents to the county general revenue fund; and

(3) [Two] **Three** dollars to the fund established in subsection 2 of this section.

2. (1) There is hereby established a revolving fund known as the “Statutory County Recorder’s Fund”, which shall receive funds paid to the recorders of deeds of the counties of this state pursuant to subdivision (3) of subsection 1 of this section. The director of the department of revenue shall be custodian of the fund and shall make disbursements from the fund for the purpose of subsidizing the fees collected by counties that hereafter elect or have heretofore elected to separate the offices of clerk of the circuit court and recorder. The subsidy shall consist of the total amount of moneys collected pursuant to subdivisions (1) and (2) of subsection 1 of this section subtracted from fifty-five thousand dollars, **except if the annual average of funds collected under subsection 1 over the previous three-year period is insufficient to meet all obligations calculated in this subdivision and in which case the provisions of subdivision (2) of this subsection shall apply.** The moneys paid to qualifying counties pursuant to this subsection shall be deposited in the county general revenue fund. For purposes of this section a “qualified county” is a county that hereafter elects or has heretofore elected to separate the offices of clerk of the circuit court and recorder and in which the office of the recorder of deeds collects less than fifty-five thousand dollars in fees pursuant to subdivisions (1) and (2) of subsection 1 of this section, on an annual basis. Moneys in the statutory county

recorder's fund shall not be considered state funds and shall be deemed nonstate funds.

(2) If funds collected under subdivision (3) of subsection 1 of this section are insufficient to meet obligations set out in subsection 1 of this section, the department of revenue shall calculate the projected shortfall that would otherwise be incurred using the formula set out above. If the fund balance is greater than the annual average disbursement of the previous three years, then up to thirty-three percent of such excess may be used to meet the obligation. If this amount is insufficient or unavailable, the director of the department of revenue shall set a new requisite amount to determine a qualified county under subdivision (1) of this subsection other than fifty-five thousand dollars, which reflects the revenue collected under subdivision (3) of subsection 1 of this section plus an additional thirty-three percent should the balance exist in the statutory recorder's fund.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 95, Page 5, Section 108.170, Line 132, by inserting after all of said section and line the following:

“347.740. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2017] **2021**.

351.127. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter, provided that the secretary of state may collect an additional fee of ten dollars on each corporate registration report fee filed under section 351.122. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2017] **2021**.

355.023. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2017] **2021**.

356.233. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2017] **2021**.

359.653. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2017] **2021**.

400.9-528. The secretary of state may collect an additional fee of five dollars on each and every fee paid to the secretary of state as required in chapter 400.9. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2017] **2021**.

417.018. The secretary of state may collect an additional fee of five dollars on each and every fee required in this chapter. All fees collected as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The provisions of this section shall expire on December 31, [2017] **2021.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 279**.

Bill ordered enrolled.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SB 95**, as amended, and request the House recede from its position on **HCS**, as amended, and take up and pass **SB 95**, which motion prevailed.

Senator Dixon moved that the conferees be allowed to exceed the differences on **SCS No. 2** for **SB 128**, as amended, which motion prevailed.

RESOLUTIONS

Senator Koenig offered Senate Resolution No. 1010, regarding Daniel Aloysius "Dan" McCarthy, Jr., Ballwin, which was adopted.

Senator Koenig offered Senate Resolution No. 1011, regarding Madison Leibrecht, Fenton, which was adopted.

Senator Koenig offered Senate Resolution No. 1012, regarding Lara Tapy, Chesterfield, which was adopted.

On motion of Senator Kehoe, the Senate recessed until 1:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

PRIVILEGED MOTIONS

Senator Schatz moved that the Senate refuse to concur in **HCS** for **SB 114**, as amended and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Munzlinger moved that the Senate refuse to concur in **HA 1**, **HA 2** and **HA 3** to **SB 503**, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Wieland, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 302**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 302

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 302, with House Amendment Nos. 1, 2, 3, 4, & 5, House Amendment No. 1 to House Amendment No. 6, House Amendment No. 6 as amended, House Amendment Nos. 7, 8, 9, and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 302, as amended;
2. That the Senate recede from its position on Senate Bill No. 302;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 302, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Paul Wieland
/s/ Ed Emery
/s/ Mike Cunningham
/s/ Gina Walsh
/s/ Jamilah Nasheed

FOR THE HOUSE:

/s/ Becky Ruth
/s/ Don Rone
/s/ Rocky Miller
Tracy McCreery
/s/ Doug Beck

Senator Wieland moved that the above conference committee report be adopted.

Pursuant to Senate Rule 91, Senator Hegeman requested to be excused from voting on the adoption of the conference committee report and third reading of CCS for HCS for **SB 302**, which request was granted.

At the request of Senator Wieland, the motion to adopt the conference committee report was withdrawn.

President Pro Tem Richard assumed the Chair.

Senator Cunningham, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 34**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 34

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 34, with House Amendments Nos. 1, 2, 3, & 5, House Substitute Amendment No. 1 for House Amendment No. 6, Parts I & II of House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 6, House Amendment Nos. 2 & 3 to House Substitute Amendment No. 1 to House Amendment No. 6, House Substitute Amendment No. 1 for House Amendment No. 6 as amended, House

Amendment Nos. 1 & 2 to House Amendment No. 7, House Amendment No. 7 as amended, House Amendments Nos. 1 & 2 to House Amendment No. 8, House Amendment No. 8 as amended, House Amendment No. 9, House Amendments No. 1 & 2 to House Amendment No. 10, House Amendment No. 10 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 34, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 34;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Cunningham

/s/ Dan Hegeman

/s/ Dave Schatz

/s/ Jamilah Nasheed

/s/ Jason Holsman

FOR THE HOUSE:

/s/ Shawn Rhoads

/s/ Justin Hill

/s/ Dan Houx

Steve Roberts

/s/ Karla R. May

Senator Cunningham moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

President Parson assumed the Chair.

On motion of Senator Cunningham, **CCS** for **HCS** for **SS** for **SB 34**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 34

An Act to repeal sections 105.669, 479.170, 557.035, 565.002, 565.024, 565.027, 565.076, 565.091, 565.225, 565.227, 566.010, 566.150, 568.040, 569.100, 569.120, 569.140, 575.280, 577.001, 577.010, 577.060, 589.675, and 650.055, RSMo, and to enact in lieu thereof twenty-seven new sections relating to

criminal offenses, with penalty provisions and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 62**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 62

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 62, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1 as amended, House Amendment Nos. 2, 3, 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 62, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 62;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 62 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Hegeman
 /s/ Mike Cunningham
 /s/ Brian Munzlinger
 /s/ Jacob Hummel
 /s/ Jill Schupp

FOR THE HOUSE:

/s/ Rusty Black
 /s/ Nate Walker
 /s/ Patricia Pike
 /s/ Judy Morgan
 /s/ Richard Brown

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators—None

Absent—Senators

Chappelle-Nadal Rowden—2

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Hegeman, **CCS for HCS for SS for SB 62**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE SUBSTITUTE FOR
 SENATE BILL NO. 62

An Act to repeal sections 52.290, 86.207, 104.1091, 104.1205, 105.669, 137.280, 137.345, 140.100, 169.141, 169.324, 169.460, 169.490, 169.560, and 169.715, RSMo, and to enact in lieu thereof fifteen new sections relating to public employee retirement, with penalty provisions and delayed effective dates for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Kehoe—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Riddle, on behalf of the conference committee appointed to act with a like committee from the House on **SB 222**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 222

The Conference Committee appointed on Senate Bill No. 222, with House Amendment Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 222, as amended;
2. That the Senate recede from its position on Senate Bill No. 222;
3. That the attached Conference Committee Substitute for Senate Bill No 222 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jeanie Riddle
/s/ Brian Munzlinger
/s/ Dan Hegeman
/s/ Jacob Hummel
/s/ S. “Kiki” Curls

FOR THE HOUSE:

/s/ Bart Korman
/s/ Bill Reiboldt
/s/ Nathan Tate
/s/ Tracy McCreery
/s/ Greg Razer

Senator Riddle moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Riddle, **CCS** for **SB 222**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 222

An Act to repeal sections 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 304.005, 304.022, 304.170, 304.180, 307.175, and 407.816, RSMo, and to enact in lieu thereof fourteen new sections relating to motorized vehicles, with existing penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Riddle, title to the bill was agreed to.

Senator Riddle moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 111**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 111

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 111, with House Amendment No. 1, House Amendment Nos. 1, 2, & 3 to House Amendment No. 2, House Amendment No. 2 as amended, House Amendment Nos. 3 and 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 111, as

amended;

2. That the Senate recede from its position on Senate Bill No. 111;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 111, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Hegeman

/s/ David Sater

/s/ Wayne Wallingford

/s/ John Rizzo

/s/ Scott Sifton

FOR THE HOUSE:

/s/ Sandy Crawford

/s/ Rob Vescovo

/s/ Dean Plocher

/s/ Tracy McCreery

/s/ Clem Smith

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schaaf
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Eigel	Emery	Koenig	Kraus—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Hegeman, **CCS** for **HCS** for **SB 111**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 111

An Act to repeal sections 108.170, 115.306, 135.963, 347.048, 473.730, 473.743, 473.747, and 475.120, RSMo, and to enact in lieu thereof seven new sections relating to political subdivisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schaaf
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Eigel Emery Koenig Kraus—4

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schatz, on behalf of the conference committee appointed to act with a like committee from the House on **SB 64**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 64

The Conference Committee appointed on Senate Bill No. 64, with House Amendment Nos. 1, 2, & 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 64, as amended;
2. That the Senate recede from its position on Senate Bill No. 64;
3. That the attached Conference Committee Substitute for Senate Bill No. 64, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dave Schatz

/s/ Paul Wieland

/s/ Brian Munzlinger

/s/ Jacob Hummel

/s/ S. “Kiki” Curls

FOR THE HOUSE:

/s/ Justin Alferman

/s/ Bill Reiboldt

/s/ Lyndall Fraker

/s/ Bob Burns

/s/ Kip Kedrick

Senator Schatz moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Wasson	Wieland—31				

NAYS—Senator Emery—1

Absent—Senator Walsh—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Schatz, **CCS** for **SB 64**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 64

An Act to amend chapter 227, RSMo, by adding thereto seven new sections relating to infrastructure designations.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Emery—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Wieland moved that **SCS** for **SB 322**, with **HA 1** and **HA 2**, be taken up for 3rd reading and final passage, which motion prevailed.

HA 1 was taken up.

Senator Wieland moved that the above amendment be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

HA 2 was taken up.

Senator Wieland moved that the above amendment be adopted, which motion prevailed, by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Wieland **SCS** for **SB 322**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wieland, title to the bill was agreed to.

Senator Wieland moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 501**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 501

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 501, with House Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 501, as amended;
2. That the Senate recede from its position on Senate Bill No. 501;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 501 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater

/s/ Bob Onder

/s/ Dan Brown

/s/ Jill Schupp

/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Michael J. Stephens

/s/ Jim Neely

/s/ John D. Wiemann

/s/ Cora Faith Walker

/s/ Martha Stevens

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus Schaaf—2

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, **CCS** for **HCS** for **SB 501**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 501

An Act to repeal sections 191.227, 195.206, 197.040, 197.050, 197.070, 197.071, 197.080, 197.100, 334.010, 334.036, 334.735, 337.010, 337.025, 338.010, and 345.051, RSMo, and to enact in lieu thereof twenty-four new sections relating to health care, with an effective date for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Kraus Schaaf—2

Absent—Senator Onder—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 30**, as amended. Representatives: Fitzpatrick,

Fraker, Ruth, Stevens (46), Morgan.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House conferees on **SCS No. 2** for **SB 128**, as amended, be allowed to exceed the differences on 21.771, 210.110, 210.152, 210.565, and 475.024.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to adopt **SS** for **HCS** for **HBs 90 & 68**, as amended, and requests the Senate to recede from its position and failing to do so grant the House a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 478**, entitled:

An Act to repeal sections 161.670, 162.492, and 167.121, RSMo, and to enact in lieu thereof four new sections relating to the information technology practices of educational institutions.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 478, Pages 4-5, Section 162.492, Lines 1-63, by removing all of said section from the bill; and

Further amend said bill, Page 6, Section 162.1475, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

“162.1475. 1. “Personally identifiable information” shall include, but is not limited to:

- (1) The student’s name;**
- (2) The name of the student’s parent or other family members;**
- (3) The address of the student or student’s family;**
- (4) A personal identifier, such as the student’s social security number, student number, or biometric record;**
- (5) Other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name;**
- (6) Other information that, alone or in combination, is linked or linkable to a specific student; or**
- (7) Information requested or obtained by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.”; and**

Further amend said bill, page, and section, Line 4, by deleting the word **“personal”** and inserting in lieu thereof the words **“personally identifiable”**; and

Further amend said bill, page, and section, Line 6, by deleting the word **“personal”** and inserting in lieu thereof the words **“personally identifiable”**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 478, Pages 1 to 4, Section 161.670, Lines 1 to 95, by removing all of said section and lines from the bill and inserting in lieu thereof the following:

“161.670. 1. Notwithstanding any other law, prior to July 1, 2007, the state board of education shall establish [a virtual public school] **the “Missouri Course Access and Virtual School Program”** to serve school-age students residing in the state. The [virtual public school] **Missouri course access and virtual school program** shall offer instruction in a virtual setting using technology, intranet, and/or internet methods of communication. Any student under the age of twenty-one in grades kindergarten through twelve who resides in this state shall be eligible to enroll in the [virtual public school regardless of the student’s physical location] **Missouri course access and virtual school program under to subsection 3 of this section.**

2. For purposes of calculation and distribution of state school aid, students enrolled in [a virtual public school] **the Missouri course access and virtual school program** shall be included[, at the choice of the student’s parent or guardian,] in the student enrollment of the school district in which the student physically [resides] **is enrolled under subsection 3 of this section.** The [virtual public school] **Missouri course access and virtual school program** shall report to the district of residence the following information about each student served by the [virtual public school] **Missouri course access and virtual school program**: name, address, eligibility for free or reduced-price lunch, limited English proficiency status, special education needs, and the number of courses in which the student is enrolled. The [virtual public school] **Missouri course access and virtual school program** shall promptly notify the resident district when a student discontinues enrollment. A “full-time equivalent student” is a student who successfully has completed the instructional equivalent of six credits per regular term. Each [virtual] **Missouri course access program** course shall count as one class and shall generate that portion of a full-time equivalent that a comparable course offered by the school district would generate. In no case shall more than the full-time equivalency of a regular term of attendance for a single student be used to claim state aid. Full-time equivalent student credit completed shall be reported to the department of elementary and secondary education in the manner prescribed by the department. Nothing in this section shall prohibit students from enrolling in additional courses under a separate agreement that includes terms for paying tuition or course fees.

3. [When a school district has one or more resident students enrolled in a virtual public school program authorized by this section, whose parent or guardian has chosen to include such student in the district’s enrollment, the department of elementary and secondary education shall disburse an amount corresponding to fifteen percent of the state aid under sections 163.031 and 163.043 attributable to such student to the resident district. Subject to an annual appropriation by the general assembly, the department shall disburse an amount corresponding to eighty-five percent of the state adequacy target attributable to such student to the virtual public school.

4.] **(1) A school district or charter school shall allow any eligible student who resides in such district to enroll in Missouri course access program courses of his or her choice as a part of the student’s annual course load each school year or a full-time virtual school option, with any costs associated with such course or courses to be paid by the school district or charter school if:**

(a) The student is enrolled full-time in and has attended, for at least one semester immediately prior to enrolling in the Missouri course access program, a public school, including any public charter school; and

(b) Prior to enrolling in any Missouri course access program course, a student has received approval from his or her school principal through the procedure described under subdivision (2) of this subsection.

(2) School districts and charter schools, through the school principal and in cooperation with the school's counselor or a person designated by the district or charter school, shall approve or disapprove a student's request to enroll in a Missouri course access program course or full-time virtual school. The school counselor or a person designated by the district or charter school shall advise any student who requests to enroll in a Missouri course access program course or a full-time virtual school and submit a recommendation to the school principal for final approval. The advice of the school counselor or the person designated by the district or charter school shall be based on his or her assessment of whether participation in the program and enrollment in a particular course are in the student's best interest and shall be done in consultation with the student's parent or legal guardian. Each school district and charter school shall develop a procedure under which a student may appeal the decision made under the provisions of this subdivision. In cases of denial of a request, the school district or charter school shall inform students and parents of the reason for denial and inform them of their right to appeal any enrollment denials in state course access program courses or full-time virtual school to the department of elementary and secondary education, which shall provide a final enrollment decision within seven calendar days. The state board of education shall establish guidelines governing the appeals process.

(3) For students enrolled in any Missouri course access program course in which costs associated with such course are to be paid by the school district or charter school as described under subdivision (1) of this subsection, the school district or charter school shall pay the content provider directly on a pro rata monthly basis based on a student's completion of assignments and assessments. If a student discontinues enrollment, the district or charter school may stop making monthly payments to the content provider. No school district or charter school shall pay, for any one course for a student, more than the market necessary costs but in no case shall pay more than fourteen percent of the state adequacy target, as defined under section 163.011, as calculated at the end of the most recent school year for any single, year-long course and no more than seven percent of the state adequacy target as described above for any single semester equivalent course. Payment for a full-time virtual school student shall not exceed the state adequacy target, unless the student receives additional federal or state aid. Nothing in this subdivision shall prohibit a school district or charter school from negotiating lower costs directly with course or full-time virtual school providers, particularly in cases where several students enroll in a single course or full-time virtual school.

(4) In the case of a student who is a candidate for A+ tuition reimbursement and taking a virtual course under this section, the school shall attribute no less than ninety-five percent attendance to any such student who has completed such virtual course.

(5) The Missouri course access program shall ensure that individual learning plans designed by certified teachers and professional staff are developed for all students enrolled in more than two full-time course access program courses or a full-time virtual school.

(6) Providers shall monitor student success and engagement of students enrolled in their program and report the information to the school district or charter school. Providers may make recommendations to the school district or charter school regarding the student's continued

enrollment in the program. The school district or charter school shall consider recommendations from providers and monitor the progress and success of enrolled students that are enrolled in any course or full-time virtual school offered under this section and may terminate or alter the course offering if it is found the course or full-time virtual school is not meeting the educational needs of the students enrolled in the course.

(7) School districts and charter schools shall monitor student progress and success, and course or full-time virtual school quality, and annually provide feedback to the department of elementary and secondary education regarding course quality.

(8) Pursuant to rules to be adopted by the department of elementary and secondary education, when a student transfers into a school district or charter school, credits previously gained through successful passage of approved courses under the Missouri course access program shall be accepted by the school district or charter school.

(9) Nothing in this section shall prohibit home school students, private school students, or students wishing to take additional courses beyond their regular course load from enrolling in Missouri course access program courses under an agreement that includes terms for paying tuition or course fees.

(10) Nothing in this subsection shall require any school district, charter school, or the state to provide computers, equipment, or internet access to any student unless required by an eligible student with a disability to comply with federal law.

(11) The authorization process shall provide for continuous monitoring of approved providers and courses. The department shall revoke or suspend or take other corrective action regarding the authorization of any course or provider no longer meeting the requirements of the program. Unless immediate action is necessary, prior to revocation or suspension, the department shall notify the provider and give the provider a reasonable time period to take corrective action to avoid revocation or suspension. The process shall provide for periodic renewal of authorization no less frequently than once every three years.

(12) Courses approved as of January 1, 2018, by the department to participate in the Missouri virtual instruction program shall be automatically approved to participate in the state course access and virtual school program, but shall be subject to periodic renewal.

4. School districts or charter schools shall inform parents of their child's right to participate in the program. Availability of the program shall be made clear in the parent handbook, registration documents, and featured on the home page of the school district or charter school's website.

5. The department shall:

(1) Establish an authorization process for course or full-time virtual school providers that includes multiple opportunities for submission each year;

(2) Pursuant to the timeline established by the department, authorize course or full-time virtual school providers that submit all necessary information pursuant to the requirements of the process;

(3) Review, pursuant to the authorization process, proposals from providers to provide individual courses or a comprehensive, full-time equivalent course of study for students through the Missouri course access and virtual school program. The department shall ensure that these comprehensive

courses of study align with state academic standards and that there is consistency and compatibility in the curriculum used by all providers from one grade level to the next grade level; and

(4) Within thirty days of any denial, provide a written explanation to any course providers or full-time virtual school providers that are denied authorization.

6. If a course or full-time virtual school provider is denied authorization, the course provider may reapply at any point in the future.

7. The department shall publish the process established under this section, including any deadlines and any guidelines applicable to the submission and authorization process for course or full-time virtual school providers on its website.

8. If the department determines that there are insufficient funds available for evaluating and authorizing course or full-time virtual school providers, the department may charge applicant course or full-time virtual school providers a fee up to, but no greater than, the amount of the costs in order to ensure that evaluation occurs. The department shall establish and publish a fee schedule for purposes of this subsection.

9. Except as specified in this section and as may be specified by rule of the state board of education, the [virtual public school] **Missouri course access and virtual school program shall comply with all state laws and regulations applicable to school districts, including but not limited to the Missouri school improvement program (MSIP), [adequate yearly progress (AYP),] annual performance report (APR), teacher certification, and curriculum standards.**

[5.] 10. The state board of education through the rulemaking process and the department of elementary and secondary education in its policies and procedures shall ensure that multiple content providers are allowed, ensure digital content conforms to accessibility requirements, provide an easily accessible link for providers to submit courses or full-time virtual schools on the Missouri course access and virtual school program website, and allow any person, organization, or entity to submit courses or full-time virtual schools for approval. No content provider shall be allowed that is unwilling to accept payments in the amount and manner as described under subdivision (3) of subsection 3 of this section or does not meet performance or quality standards adopted by the state board of education.

[6.] 11. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2006, shall be invalid and void.”; and

Further amend said bill, Pages 6 and 7, Section 167.121, Lines 1 to 42, by removing all of said section from the bill and inserting in lieu thereof the following:

“167.121. [1.] If the residence of a pupil is so located that attendance in the district of residence constitutes an unusual or unreasonable transportation hardship because of natural barriers, travel time, or distance, the commissioner of education or his designee may assign the pupil to another district. Subject to the provisions of this section, all existing assignments shall be reviewed prior to July 1, 1984, and from time

to time thereafter, and may be continued or rescinded. The board of education of the district in which the pupil lives shall pay the tuition of the pupil assigned. The tuition shall not exceed the pro rata cost of instruction.

[2. (1) For the school year beginning July 1, 2008, and each succeeding school year, a parent or guardian residing in a lapsed public school district or a district that has scored either unaccredited or provisionally accredited, or a combination thereof, on two consecutive annual performance reports may enroll the parent's or guardian's child in the Missouri virtual school created in section 161.670 provided the pupil first enrolls in the school district of residence. The school district of residence shall include the pupil's enrollment in the virtual school created in section 161.670 in determining the district's average daily attendance. Full-time enrollment in the virtual school shall constitute one average daily attendance equivalent in the school district of residence. Average daily attendance for part-time enrollment in the virtual school shall be calculated as a percentage of the total number of virtual courses enrolled in divided by the number of courses required for full-time attendance in the school district of residence.

(2) A pupil's residence, for purposes of this section, means residency established under section 167.020. Except for students residing in a K-8 district attending high school in a district under section 167.131, the board of the home district shall pay to the virtual school the amount required under section 161.670.

(3) Nothing in this section shall require any school district or the state to provide computers, equipment, internet or other access, supplies, materials or funding, except as provided in this section, as may be deemed necessary for a pupil to participate in the virtual school created in section 161.670.

(4) Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.]

Section B. Sections 161.670 and 167.121 of this act shall become effective July 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 478, Page 7, Section 167.121, Line 42, by inserting immediately after said line the following:

“620.2700. 1. Subject to appropriation, the department of elementary and secondary education shall establish a statewide program to be known as the “STEM Career Awareness Program” to increase STEM career awareness among students in grades six through eight. For purposes of this section, “STEM” means science, technology, engineering, and mathematics.

2. The department of elementary and secondary education shall implement the statewide program beginning in the 2018-19 school year. The program shall introduce students to a wide variety of STEM careers and technology through an online-based STEM curriculum.

3. Prior to January 1, 2018, the department of elementary and secondary education shall solicit proposals and select a provider for the online program. The program selected shall meet the following criteria:

- (1) The program introduces students to a wide variety of STEM careers and technologies, including curriculum explicitly focused on more than eighty different careers and technologies;**
- (2) The curriculum is organized around the concept of solving societal or human-centered problems, instead of focusing solely on scientific concepts. The curriculum shall have at least ten different problems that emphasize different career clusters;**
- (3) The curriculum is designed for flexible implementation in a wide variety of classrooms, including science, math, English, and social studies, through lessons that emphasize the application of STEM careers in these contexts;**
- (4) The curriculum demonstrates how math and language skills appropriate to middle schools are utilized by STEM careers, making classroom instruction relevant to students interested in STEM careers;**
- (5) The program utilizes game-based elements to encourage engagement and competition with students and teams, including automated online leaderboards;**
- (6) The program rewards students in the game format for accomplishment in demonstrating the application of math and language skills in the contexts of the STEM careers and technologies;**
- (7) The program automatically produces analytic reports for individual students and for classes, including analysis of performance against individual math and language skills objectives;**
- (8) The curriculum is available in a self-paced format over the internet, allowing access to students through individual student accounts anywhere that the student can access the internet;**
- (9) The curriculum includes a narrative soundtrack accompanying and matching all instructional text to assist students in developing reading skills in the context of STEM careers;**
- (10) The program has a validation from a national, third-party nonprofit organization that the program increases STEM career awareness and interest;**
- (11) The program shall be listed as a recommended STEM resource in ACT's "Condition of STEM" 2015 report; and**
- (12) The program includes web-based professional development for school staff.**

4. Notwithstanding subsections 2 and 3 of this section, the department of elementary and secondary education may choose a third-party nonprofit entity to implement the statewide program, solicit proposals, and select a provider as described under subsection 3 of this section.

5. (1) There is hereby created in the state treasury the "STEM Career Awareness Program Fund". The fund shall consist of any appropriations, gifts, bequests, or public or private donations to such fund. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements of public moneys in accordance with distribution requirements and procedures developed by the department of elementary and secondary education. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely for the administration of this section.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. The department of elementary and secondary education may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2017, shall be invalid and void.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HA 1, HA 2, HA 3 to SB 503**, and grants the Senate a conference thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS for SB 31**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS for SB 114**, as amended, and grants the Senate a conference thereon.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS for SB 114**, as amended. Representatives: Alferman, Cornejo, Bondon, Adams, Morgan.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **SB 503**, as amended. Representatives: Lauer, Engler, Rhoads, McCreery, Franks Jr..

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the Speaker submitted the following change to the Conference Committee on **HCS for SB 114**, as amended: Representative Carpenter replacing Representative Adams.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed SCS for **SB 217**.

With House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended.

HOUSE AMENDMENT NO. 1 TO
HOUSE AMENDMENT NO. 1

Amend House Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 217, Page 1, Line 26, by deleting the words, “**excess revenue**” and inserting in lieu thereof the following:

“an amount equal to the excess revenue that otherwise would have been deposited into the general revenue fund”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 217, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the words “to taxation.”; and

Further amend said bill, Page 4, Section 135.647, Line 92, by inserting immediately after all of said section and line the following:

“208.1050. 1. As used in this section, the following terms mean:

(1) “Excess revenue”, the first thirty-five million three hundred forty-five thousand two hundred fifteen dollars of net general revenue collections collected in excess of nine billion ninety-seven million three hundred thousand dollars in the fiscal year beginning July 1, 2016, and ending June 30, 2017;

(2) “Net general revenue collections”, revenue collected and required by any section except this section, to be deposited into the general revenue fund, less any refunds and less transfers to the general revenue fund;

2. There is hereby created in the state treasury the “Missouri Senior Services Protection Fund”, which shall consist of money collected under subsection [2] **3** of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and, upon appropriation, [money] **moneys** in the fund shall be used solely for the administration of subsection [2] **3** of this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the **general revenue fund**.

[2.] 3. Notwithstanding any other law to the contrary, the state treasurer shall deposit [from moneys that otherwise would have been deposited into the general revenue fund an amount equal to fifty-five million one hundred thousand dollars] **excess revenue** into the Missouri senior services protection fund[. At least one-quarter of such amount shall be deposited on or before July 15, 2013, an additional one-quarter by October 15, 2013, and an additional one-quarter by January 15, 2014. The remaining amount shall be deposited by March 15, 2014] **by September 1, 2017**. Moneys in the fund shall be allocated for services for low-income seniors and people with disabilities.

4. Notwithstanding any other provision of law to the contrary, the governor may include, in a supplemental budget request for the 2018 fiscal year, recommendations of transfers to the general revenue fund from unexpended balances of fees, funds, and moneys received from whatever source by any department, board, bureau, commission, institution, official, or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, except not from:

(1) The senior services protection fund;

(2) Any moneys received and to be disbursed by the state on behalf of a county, city, town, or village;

(3) Any unexpended balance as may remain in any fund authorized and collected under the provisions of the Constitution of Missouri;

(4) Any moneys dedicated to the payment of interest and principal of any bonded indebtedness;

(5) Any fund created in order to receive and disburse federal funds;

(6) Any fund used to fund elementary and secondary education under section 163.031;

(7) Any fund for which at least seventy percent of moneys are derived from an appropriation of general revenue;

(8) Any fund created under section 190.818, 198.418, 208.465, or 338.535; and

(9) Any fund created under chapters 324 to 346.

5. The provisions of subsection 2 and 3 of this section shall expire on July 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SB 503**, as amended: Senators Munzlinger, Koenig, Kraus, Curls and Hummel.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS for SB 114**, as amended: Senators Schatz, Wieland, Hegeman, Holsman and Curls.

HOUSE BILLS ON THIRD READING

Senator Schatz moved that **HCS for HBs 302 and 228**, with **SCS, SS for SCS and SA 5** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 5 was again taken up.

At the request of Senator Schatz, **SS for SCS** was withdrawn, rendering **SA 5** moot.

Senator Schatz offered **SS No. 2 for SCS for HCS for HBs 302 and 228**, entitled:

SENATE SUBSTITUTE NO. 2 FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 302 & 228

An Act to repeal sections 43.505, 57.450, 57.530, 86.207, 190.103, 190.165, 302.441, 488.5320, 513.653, 544.671, 565.050, 565.052, 565.054, 565.056, 575.150, 650.055, and 650.330, RSMo, and to enact in lieu thereof twenty-three new sections relating to emergency responders, with penalty provisions and an emergency clause for certain sections.

Senator Schatz moved that **SS No. 2** for **SCS** for **HCS** for **HBs 302** and **228** be adopted.

Senator Rowden offered **SA 1**:

SENATE AMENDMENT NO. 1

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 and 228, Page 16, Section 190.165, Line 25 of said page, by inserting immediately after said line the following:

“210.1014. 1. There is hereby created the “Amber Alert System Oversight Committee”, whose primary duty shall be to develop criteria and procedures for the Amber alert system and shall be housed within the department of public safety. The committee shall regularly review the function of the Amber alert system and revise its criteria and procedures in cooperation with the department of public safety to provide for efficient and effective public notification **meet at least annually to discuss potential improvements to the Amber alert system**. As soon as practicable, the committee shall adopt criteria and procedures to expand the Amber alert system to provide urgent public alerts related to homeland security, criminal acts, health emergencies, and other imminent dangers to the public health and welfare.

2. The Amber alert system oversight committee shall consist of ten members of which seven members shall be appointed by the governor with the advice and consent of the senate. Such members shall represent the following entities: two representatives of the Missouri Sheriffs’ Association; two representatives of the Missouri Police Chiefs Association; one representative of small market radio broadcasters; one representative of large market radio broadcasters; one representative of television broadcasters. The director of the department of public safety shall also be a member of the committee and shall serve as chair of the committee. Additional members shall include one representative of the highway patrol and one representative of the department of health and senior services.

3. Members of the oversight committee shall serve a term of four years, except that members first appointed to the committee shall have staggered terms of two, three, and four years and shall serve until their successor is duly appointed and qualified.

4. Members of the oversight committee shall serve without compensation, except that members shall be reimbursed for their actual and necessary expenses required for the discharge of their duties.

5. The Amber alert system oversight committee shall promulgate rules for the implementation of the Amber alert system. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review,

to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

210.1016. 1. The provisions of this section shall be known and may be cited as “Hailey’s Law”.

2. The Amber alert system shall be integrated into the Missouri uniform law enforcement system (MULES) and Regional Justice Information Service (REJIS) to expedite the reporting of child abductions.”; and

Further amend the title and enacting clause accordingly.

Senator Rowden moved that the above amendment be adopted, which motion prevailed.

Senator Holsman offered **SA 2:**

SENATE AMENDMENT NO. 2

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 and 228, Page 21, Section 544.671, Line 18 of said page, by inserting after “victim is” the following: “**known to be**”; and further amend line 22 of said page, by inserting after “victim is” the following: “**known to be**”; and further amend line 25 of said page, by inserting after “victim is” the following: “**known to be**”; and

Further amend said bill and section, Page 22, Line 19 of said page, by inserting after “victim is” the following: “**known to be**”; and further amend line 22 of said page, by inserting after “victim is” the following: “**known to be**”; and further amend line 26, by inserting after “victim is” the following: “**known to be**”; and

Further amend said bill, Section 565.050, Page 23, Line 19 of said page, by inserting after “victim was” the following: “**known to be**”; and

Further amend said bill, Section 565.052, Page 24, Line 15 of said page, by inserting after “victim was” the following: “**known to be**”; and

Further amend said bill, Section 565.054, Page 24, Line 27 of said page, by inserting after “victim was” the following: “**known to be**”; and

Further amend said bill, Section 565.056, Page 26, Line 1 of said page, by inserting after “victim was” the following: “**known to be**”.

Senator Holsman moved that the above amendment be adopted, which motion prevailed.

Senator Hegeman offered **SA 3:**

SENATE AMENDMENT NO. 3

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 and 228, Pages 10-11, Section 190.147, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Hegeman moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 4**:

SENATE AMENDMENT NO. 4

Amend Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 302 and 228, Pages 26-27, Section 575.150, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

Senator Schupp moved that the above amendment be adopted, which motion prevailed.

Senator Schatz moved that **SS No. 2** for **SCS** for **HCS** for **HBs 302** and **228** be adopted, which motion prevailed.

Senator Schatz moved that **SS No. 2** for **SCS** for **HCS** for **HBs 302** and **228** be read the 3rd time and passed and was recognized to close.

President Pro Tem Richard referred **SS No. 2** for **SCS** for **HCS** for **HBs 302** and **228** to the Committee on Fiscal Oversight.

PRIVILEGED MOTIONS

Senator Schatz moved that the Senate grant the House further conference on **SS** for **HCS** for **HBs 90** and **68**, as amended, which motion prevailed.

MESSAGES FROM THE HOUSE

The following message was received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SB 124**.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend Senate Substitute for Senate Bill No. 124, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following:

“to regulatory authority.”; and

Further amend said bill, Page 2, Section 1.100, Line 26, by inserting immediately after all of said section and line the following:

“393.355. 1. As used in this section, the following terms shall mean:

(1) **“Aluminum smelting facility”, a facility whose primary industry is the smelting of aluminum and primary metals, Standard Industrial Classification Code 3334, is located in a county of the third classification, and has had electrical service provided to said facility in the past, in part or whole, by a municipally-owned utility and, in part or whole, by an electric generating cooperative owned by rural electric cooperatives;**

(2) **“Electrical corporation”, as defined in section 386.020, but shall not include an electrical corporation as defined and set forth in subsection 2 of section 393.110;**

(3) **“Steel works facility”, a facility whose primary industry is the production or fabrication of steel, North American Industrial Classification System 331110, and is located in a county of the third classification.**

2. Notwithstanding section 393.130 or any other provision of law to the contrary, the public service commission shall have the authority to approve a special rate that is not based on the electrical corporation's cost of service for an aluminum smelting facility or a steel works facility if the commission:

(1) Determines the special rate is in the interest of the state of Missouri when considering the collective interests of the customers of the electrical corporation serving the facility and the interests of the citizens of the state generally in promoting economic development, improving the tax base, providing employment opportunities in the state, and promoting such other benefits to the state as the commission may determine are created by approval of the special rate;

(2) In each general rate proceeding of the electrical corporation serving the facility, allocates the reduced revenues from the special rate as compared to the revenues that would have been generated at the rate the facility would have paid without the special rate to the electrical corporation's other customers through a uniform percentage adjustment to all components of the base rates of all customer classes; and

(3) Approves a tracking mechanism meeting the requirements of subsection 3 of this section.

3. Any commission order approving a special rate authorized by this section to provide service to an aluminum smelting facility or steel works facility in the manner specified in subsection 4 of this section shall establish a tracking mechanism to track changes in the net margin experienced by the electrical corporation serving the facility with the tracker to apply retroactively to the date the electrical corporation's base rates were last set in its last general rate proceeding concluded prior to the effective date of this section. The commission shall ensure that the changes in net margin experienced by the electrical corporation are calculated in such a manner that the electrical corporation's net income is neither increased nor decreased. The changes in net margin shall be deferred to a regulatory liability or regulatory asset, as applicable, with the balance of such regulatory asset or liability to be included in the revenue requirement of the electrical corporation in each of its general rate proceedings through an amortization of the balance over a reasonable period until fully returned to or collected from the electrical corporation's customers.

4. An electrical corporation is authorized to provide electric service to an aluminum smelting facility or steel works facility at a special rate authorized by this section in one of two ways, as follows:

(1) Under a rate schedule reflecting the special rate if the facility is located within the electrical corporation's certificated service territory; or

(2) Notwithstanding section 393.170, under a contract reflecting the special rate approved by the commission under the terms and conditions of this section.

In any case where the electric service is provided under contract referenced in subdivision (2) of this subsection, the facility shall be a commission-regulated retail electric customer of the electrical corporation and the rates, charges, and revenues under the contract shall, for ratemaking purposes, be treated by the commission as if the rates, charges, and revenues arise under the electrical corporation's tariff.

5. To receive a special rate, the facility shall file a written application with the commission specifying the requested special rate, any terms or conditions proposed by the facility respecting the

requested special rate, and provide information regarding how the requested special rate meets the criteria specified in subdivision (1) of subsection 2 of this section. A special rate provided for by this section shall not continue beyond December 31, 2027. The commission may impose such conditions on the special rate as it deems appropriate so long as it otherwise complies with the provisions of this section.

393.356. Electrical corporations may file proposed rate or regulatory mechanisms or plans with the commission for the commission's approval. If such a mechanism or plan is approved by the commission as filed or is approved by the commission with modifications acceptable to the electrical corporation, or if the commission approves a special rate under section 393.355, the commission shall lack the authority to modify or eliminate any such mechanism, plan, or special rate during the specified term.

393.1410. 1. It shall be the policy of the state of Missouri for the commission to support expenditures by electrical corporations that maintain or improve the reliability, safety, security, or automation of electric infrastructure, including through the use of the latest technologies to meet the needs and expectations of customers. It shall also be the policy of the state of Missouri for the commission to approve rates designed to allow electrical corporations to recover their full cost of service and provide a reasonable opportunity to earn a fair return.

2. The commission may utilize rate adjustment mechanisms not otherwise specifically authorized by statute including, but not limited to, mechanisms to promote modernization and replacement of an electrical corporation's infrastructure. The commission may also use partially forecasted test years, true-ups of retail revenue requirement components, tracking mechanisms, grid modernization incentive mechanisms, interim rates, performance-based ratemaking, revenue decoupling with regular adjustments, or decisional pre-approval with post construction review of construction projects. To the extent the commission's approval of a rate adjustment mechanism or other mechanism provided for by this section specifies a term over which the approval is to continue, the commission shall lack the authority to modify or eliminate the electrical corporation's use of the mechanism or tool during the specified term."'; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

On motion of Senator Kehoe, the Senate recessed until 8:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following reports:

Mr. President: Your Committee on Fiscal Oversight, to which were referred **SCS No. 2** for **HCS** for **HBs 302** and **228**; **HB 209**, with **SCS**; **HCS** for **HB 303**; **HCS** for **HB 334**, with **SCS**; and **HB 571**, with **SCS**, begs leave to report that it has considered the same and recommends that the bills do pass.

Senator Dixon, Chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, submitted the following report:

Mr. President: Your Committee on the Judiciary and Civil and Criminal Jurisprudence, to which was referred **HCB 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

Senator Rowden assumed the Chair.

PRIVILEGED MOTIONS

Senator Schatz, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SB 225**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 225

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 225, with House Amendment Nos. 1, 2, 3, 4, 6, 7, and 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9 as amended, House Amendment Nos. 1 and 2 to House Amendment No. 10, House Amendment No. 10 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 225, as amended;
2. That the Senate recede from its position on Senate Bill No. 225;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 225 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dave Schatz
/s/ Jay Wasson
/s/ Brian Munzlinger
/s/ Jacob Hummel
/s/ Jill Schupp

FOR THE HOUSE:

/s/ Charlie Davis
/s/ Lyndall Fraker
/s/ Joe Don McGaugh
/s/ Joe Runions
/s/ Bob Burns

Senator Schatz moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Chappelle-Nadal—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Schatz, **CCS** for **HCS** for **SB 225**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 225

An Act to repeal sections 137.095, 226.520, 287.020, 287.040, 288.035, 301.010, 301.031, 301.227, 301.550, 302.441, 304.005, 304.022, 304.170, 304.180, 304.190, 304.725, and 407.816, RSMo, and to enact in lieu thereof eighteen new sections relating to transportation, with an existing penalty provision.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **HB 93**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 95**, as amended, and request the Senate to take up and passed **HCS** for **SB 95**, as amended.

PRIVILEGED MOTIONS

Senator Sater moved that the Senate refuse to concur in **HCS** for **SB 95**, as amended, and request the House to recede from its position or, failing to do so, grant the Senate a conference thereon, which motion prevailed.

Senator Schatz moved that the Senate request the House grant further conference on **HCS** for **SCS** for **SB 112**, as amended, which motion prevailed.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **SB 8**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 8**

The Conference Committee appointed on Senate Bill No. 8, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment Nos. 4, 5, 6 and 7, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8 as amended, House Amendment Nos. 1, 2, and 3 to House Amendment No. 9, House Amendment No. 9 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 8, as amended;
2. That the Senate recede from its position on Senate Bill No. 8;
3. That the attached Conference Committee Substitute for Senate Bill No. 8 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Caleb Rowden
/s/ Dave Schatz
/s/ Jill Schupp
/s/ Jacob Hummel

FOR THE HOUSE:

/s/ Shawn Roads
/s/ Mike Bernskoetter
/s/ Paul Fitzwater
Tracy McCreery
Gina Mitten

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Eigel	Koenig	Kraus	Schaaf—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Munzlinger, **CCS for SB 8**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 8

An Act to repeal sections 142.800, 142.803, 142.869, 287.020, 287.040, 288.035, 301.010, 301.031, 301.062, 301.227, 301.550, 304.005, 304.022, 304.120, 304.170, 304.180, 307.175, and 407.816, RSMo, and to enact in lieu thereof nineteen new sections relating to transportation, with existing penalty provisions and an emergency clause for certain sections.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson

Wieland—29

NAYS—Senators

Eigel	Koenig	Kraus	Schaaf—4
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Eigel	Kraus	Schaaf—3
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Absent—Senators

Nasheed	Schatz—2
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Absent with leave—Senators—None

Vacancies—1

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Cunningham, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SS** for **SB 35**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 35

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Bill No. 35, with House Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 35, as amended;
2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 35;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 35 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Mike Cunningham

/s/ David Sater

/s/ Jeanie Riddle

/s/ John Rizzo

Scott Sifton

FOR THE HOUSE:

/s/ Robert Ross

/s/ Philip Christofanelli

/s/ Hannah Kelly

/s/ T.L. Pierson, Jr.

/s/ Rory Rowland

Senator Cunningham moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Rizzo—1

Absent—Senator Romine—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Cunningham, **CCS** for **HCS** for **SS** for **SB 35**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE BILL NO. 35

An Act to repeal section 34.030, RSMo, and to enact in lieu thereof one new section relating to state purchases of land.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Hummel	Schupp	Sifton—3
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Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Cunningham, title to the bill was agreed to.

Senator Cunningham moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Dixon, on behalf of the conference committee appointed to act with a like committee from the House on **SCS No. 2** for **SB 128**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 128

The Conference Committee appointed on Senate Committee Substitute No. 2 for Senate Bill No. 128, with House Amendment Nos. 1 and 2, House Amendment Nos. 1 and 2 to House Amendment No. 3, House Amendment No. 3 as amended, House Amendment No. 1 to House Amendment No. 4, and House Amendment No. 4 as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Substitute No. 2 for Senate Bill No. 128, as amended;

2. That the Senate recede from its position on Senate Committee Substitute No. 2 for Senate Bill No. 128;

3. That the attached Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bob Dixon

/s/ Doug Libla

/s/ Gary Romine

/s/ Scott Sifton

/s/ Maria Chappelle-Nadal

FOR THE HOUSE:

/s/ Rebecca Roeber

/s/ Joe Don McGaugh

/s/ Dean Plocher

/s/ Gina Mitten

/s/ Mark Ellebracht

Senator Dixon moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Richard—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Dixon, **CCS for SCS No. 2 for SB 128**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE NO. 2 FOR
SENATE BILL NO. 128

An Act to repeal sections 105.478, 144.026, 210.845, 302.441, 400.9-501, 452.370, 452.747, 454.500, 456.1-103, 456.4-414, 456.4-420, 456.8-808, 475.024, 478.463, 479.020, 479.170, 479.353, 488.029, 488.2206, 488.2250, 488.5050, 513.430, 513.440, 514.040, 515.575, 515.635, 552.020, 557.035, 565.076, 565.091, 566.010, 575.280, 577.001, 577.010, 577.037, 577.060, and 595.045, RSMo, and to enact in lieu thereof sixty-eight new sections relating to judicial proceedings, with penalty provisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Riddle	Rizzo	Romine

Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Richard—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Dixon, title to the bill was agreed to.

Senator Dixon moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

Senator Hummel moved that **HCS** for **HB 831**, with **SCS** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

Having voted on the prevailing side, Senator Dixon moved that the vote by which **SA 2** was adopted be reconsidered, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Riddle—1

Absent with leave—Senators—None

Vacancies—1

SA 2 was again taken up.

At the request of Senator Dixon, **SA 2** was withdrawn.

Pursuant to Senate Rule 91, Senator Riddle requested to be excused on all votes on amendments, adoption of the **SCS** and 3rd reading of **SCS** for **HCS** for **HB 831**.

Senator Dixon offered **SA 3**:

SENATE AMENDMENT NO. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 831, Page 31, Section 169.715, Line 35, by inserting after all of said line the following:

“476.521. 1. Notwithstanding any provision of chapter 476 to the contrary, each person who first becomes a judge on or after January 1, 2011, and continues to be a judge may receive benefits as provided in sections [476.445 to 476.688] **476.450 to 476.690** subject to the provisions of this section. **However, any person who filed as a candidate in 2010 to become a judge, was ultimately elected in 2010 and became a judge in 2011 as a result of such election, was eligible in 2010 to receive a future annuity under section 104.1084, and is a judge on the effective date of this section, shall not be subject to the provisions of this section.**

2. Any person who is at least sixty-seven years of age, has served in this state an aggregate of at least twelve years, continuously or otherwise, as a judge, and ceases to hold office by reason of the expiration of the judge’s term, voluntary resignation, or retirement pursuant to the provisions of Subsection 2 of Section 24 of Article V of the Constitution of Missouri may receive benefits as provided in sections 476.515 to 476.565. The twelve-year requirement of this subsection may be fulfilled by service as judge in any of the courts covered, or by service in any combination as judge of such courts, totaling an aggregate of twelve years. Any judge who is at least sixty-seven years of age and who has served less than twelve years and is otherwise qualified under sections 476.515 to 476.565 may retire after reaching age sixty-seven, or thereafter, at a reduced retirement compensation in a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or her period of judicial service bears to twelve years.

3. Any person who is at least sixty-two years of age or older, has served in this state an aggregate of at least twenty years, continuously or otherwise, as a judge, and ceases to hold office by reason of the expiration of the judge’s term, voluntary resignation, or retirement pursuant to the provisions of Subsection 2 of Section 24 of Article V of the Constitution of Missouri may receive benefits as provided in sections 476.515 to 476.565. The twenty-year requirement of this subsection may be fulfilled by service as a judge in any of the courts covered, or by service in any combination as judge of such courts, totaling an aggregate of twenty years. Any judge who is at least sixty-two years of age and who has served less than twenty years and is otherwise qualified under sections 476.515 to 476.565 may retire after reaching age sixty-two, at a reduced retirement compensation in a sum equal to the proportion of the retirement compensation provided in section 476.530 that his or her period of judicial service bears to twenty years.

4. All judges under this section required by the provisions of Section 26 of Article V of the Constitution of Missouri to retire at the age of seventy years shall retire upon reaching that age.

5. The provisions of sections 104.344, 476.524, and 476.690 shall not apply to judges covered by this section.

6. A judge shall be required to contribute four percent of the judge’s compensation to the retirement system, which shall stand to the judge’s credit in his or her individual account with the system, together with investment credits thereon, for purposes of funding retirement benefits payable as provided in sections 476.515 to 476.565, subject to the following provisions:

(1) The state of Missouri employer, pursuant to the provisions of 26 U.S.C. Section 414(h)(2), shall pick up and pay the contributions that would otherwise be payable by the judge under this section. The contributions so picked up shall be treated as employer contributions for purposes of determining the

judge's compensation that is includable in the judge's gross income for federal income tax purposes;

(2) Judge contributions picked up by the employer shall be paid from the same source of funds used for the payment of compensation to a judge. A deduction shall be made from each judge's compensation equal to the amount of the judge's contributions picked up by the employer. This deduction, however, shall not reduce the judge's compensation for purposes of computing benefits under the retirement system pursuant to this chapter;

(3) Judge contributions so picked up shall be credited to a separate account within the judge's individual account so that the amounts contributed pursuant to this section may be distinguished from the amounts contributed on an after-tax basis;

(4) The contributions, although designated as employee contributions, are being paid by the employer in lieu of the contributions by the judge. The judge shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the employer to the retirement system;

(5) Interest shall be credited annually on June thirtieth based on the value in the account as of July first of the immediately preceding year at a rate of four percent. Interest credits shall cease upon retirement of the judge;

(6) A judge whose employment is terminated may request a refund of his or her contributions and interest credited thereon. If such judge is married at the time of such request, such request shall not be processed without consent from the spouse. A judge is not eligible to request a refund if the judge's retirement benefit is subject to a division of benefit order pursuant to section 104.312. Such refund shall be paid by the system after ninety days from the date of termination of employment or the request, whichever is later and shall include all contributions made to any retirement plan administered by the system and interest credited thereon. A judge may not request a refund after such judge becomes eligible for retirement benefits under sections 476.515 to 476.565. A judge who receives a refund shall forfeit all the judge's service and future rights to receive benefits from the system and shall not be eligible to receive any long-term disability benefits; provided that any judge or former judge receiving long-term disability benefits shall not be eligible for a refund. If such judge subsequently becomes a judge and works continuously for at least one year, the service previously forfeited shall be restored if the judge returns to the system the amount previously refunded plus interest at a rate established by the board;

(7) The beneficiary of any judge who made contributions shall receive a refund upon the judge's death equal to the amount, if any, of such contributions less any retirement benefits received by the judge unless an annuity is payable to a survivor or beneficiary as a result of the judge's death. In that event, the beneficiary of the survivor or beneficiary who received the annuity shall receive a refund upon the survivor's or beneficiary's death equal to the amount, if any, of the judge's contributions less any annuity amounts received by the judge and the survivor or beneficiary.

7. The employee contribution rate, the benefits provided under sections 476.515 to 476.565 to judges covered under this section, and any other provision of sections 476.515 to 476.565 with regard to judges covered under this section may be altered, amended, increased, decreased, or repealed, but only with respect to services rendered by the judge after the effective date of such alteration, amendment, increase, decrease, or repeal, or, with respect to interest credits, for periods of time after the effective date of such alteration, amendment, increase, decrease, or repeal.

8. Any judge who is receiving retirement compensation under section 476.529 or 476.530 who becomes

employed as an employee eligible to participate in the closed plan or in the year 2000 plan under chapter 104, shall not receive such retirement compensation for any calendar month in which the retired judge is so employed. Any judge who is receiving retirement compensation under section 476.529 or section 476.530 who subsequently serves as a judge as defined pursuant to subdivision (4) of subsection 1 of section 476.515 shall not receive such retirement compensation for any calendar month in which the retired judge is serving as a judge; except that upon retirement such judge's annuity shall be recalculated to include any additional service or salary accrued based on the judge's subsequent service. A judge who is receiving compensation under section 476.529 or 476.530 may continue to receive such retirement compensation while serving as a senior judge or senior commissioner and shall receive additional credit and salary for such service pursuant to section 476.682.”; and

Further amend the title and enacting clause accordingly.

Senator Dixon moved that the above amendment be adopted, which motion prevailed.

Senator Hummel moved that **SCS for HCS for HB 831**, as amended, be adopted, which motion prevailed.

On motion of Senator Hummel, **SCS for HCS for HB 831**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senator Riddle—1

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senators—None

Absent with leave—Senators—None

Excused from voting—Senator Riddle—1

Vacancies—1

On motion of Senator Hummel, title to the bill was agreed to.

Senator Hummel moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HCS for HB 115, with SCS, entitled:

An Act to repeal section 311.179, RSMo, and to enact in lieu thereof one new section relating to the sale of intoxicating liquor at an international airport.

Was taken up by Senator Wasson.

SCS for HCS for HB 115, entitled:

SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 115

An Act to repeal section 311.179, RSMo, and to enact in lieu thereof two new sections relating to intoxicating liquor.

Was taken up.

Senator Wasson moved that **SCS for HCS for HB 115** be adopted.

Senator Wasson offered **SS for SCS for HCS for HB 115**, entitled:

SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 115

An Act to repeal sections 302.441, 311.070, 311.179, 311.275, 311.462, 311.510, and 311.540, RSMo, and to enact in lieu thereof seven new sections relating to intoxicating liquor, with existing penalty provisions.

Senator Wasson moved that **SS for SCS for HCS for HB 115** be adopted.

Senator Wasson moved that **SS for SCS for HCS for HB 115** be adopted, which motion prevailed.

On motion of Senator Wasson, **SS for SCS for HCS for HB 115** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Kraus	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senators

Emery Koenig—2

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Wasson, title to the bill was agreed to.

Senator Wasson moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schatz moved that **SS No. 2** for **HCS** for **HBs 302** and **228**, as amended, be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SS No. 2 for **HCS** for **HBs 302** and **228**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senator Kraus—1

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Hummel—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

President Pro Tem Richard assumed the Chair.

Senator Rowden moved that **HCS** for **HB 452**, with **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

SA 1 was again taken up.

At the request of Senator Schaaf, **SA 1** was withdrawn.

Senator Rowden offered **SS** for **HCS** for **HB 452**, entitled:

SENATE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 452

An Act to repeal sections 538.205 and 538.210, RSMo, and to enact in lieu thereof two new sections relating to the liability of an employee of a health care provider.

Senator Rowden moved that **SS** for **HCS** for **HB 452** be adopted.

Senator Schaaf offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend Senate Substitute for House Committee Substitute for House Bill No. 452, Page 5, Section 538.210, Line 28 by inserting after “5.” the following: “**The limitations on liability as provided for in**”.

Senator Schaaf moved that the above amendment be adopted, which motion prevailed.

Senator Schupp offered **SA 2**, which was read:

SENATE AMENDMENT NO. 2

Amend Senate Substitute for House Committee Substitute for House Bill No. 452, Page 5, Section 538.210, Line 20, by striking the word “Employee” and inserting in lieu thereof the following: “**employee**”; and further amend line 21 by striking the word “Employee” and inserting in lieu thereof the following: “**employee**”.

Senator Schupp moved that the above amendment be adopted, which motion failed.

Senator Rowden moved that **SS** for **HCS** for **HB 452**, as amended, be adopted, which motion prevailed.

On motion of Senator Rowden, **SS** for **HCS** for **HB 452**, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Romine	Rowden	Schaaf	Schatz
Schupp	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

NAYS—Senators

Chappelle-Nadal	Holsman	Hummel	Rizzo	Sifton—5
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Absent—Senator Sater—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Rowden, title to the bill was agreed to.

Senator Rowden moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **CCS** for **SB 50**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 240**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **CCS** for **SB 64**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **CCS** for **HCS** for **SB 111**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 248**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **CCS** for **HCS** for **SS** for **SB 62**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House grants the Senate further conference on **HCS** for **SCS** for **SB 112**, as amended.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House refuses to recede from its position on **HCS** for **SB 95**, as amended and grants the Senate a conference

thereon.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 395**.

Bill ordered enrolled.

Also,

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **SS** for **HCS** for **HBs 90 & 68**, as amended. Representatives: Rehder, Engler, Morris, Quade, Wessels.

Also,

Mr. President: The Speaker of the House of Representatives has re-appointed the following committee to act with a like committee from the Senate on **HCS** for **SCS** for **SB 112**, as amended. Representatives: Tate, Fraker, Bondon, Adams, McCreery.

Also,

Mr. President: The Speaker of the House of Representatives has appointed the following committee to act with a like committee from the Senate on **HCS** for **SB 95**, as amended. Representatives: Fraker, Haahr, Rhoads, Baringer, McCreery.

CONFERENCE COMMITTEE APPOINTMENTS

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SCS** for **SB 112**, as amended: Senators Schatz, Hegeman, Hoskins, Curls and Holsman.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **SS** for **HCS** for **HBs 90** and **68**, as amended: Senators Schatz, Kraus, Sater, Walsh and Hummel.

President Pro Tem Richard appointed the following conference committee to act with a like committee from the House on **HCS** for **SB 95**, as amended: Senators Sater, Wasson, Hegeman, Rizzo and Sifton.

RESOLUTIONS

Senator Hummel offered Senate Resolution No. 1013, regarding Henry “Hank” Schlichter, Webster Groves, which was adopted.

Senator Kehoe offered Senate Resolution No. 1014, regarding the death of Jerry Bruce Steppelman, Jefferson City, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1015, regarding Jacob C. Ruboneka, Jefferson City, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1016, regarding Austin C. Bauer, which was adopted.

Senator Chappelle-Nadal offered Senate Resolution No. 1017, regarding Ashley A. Hollis, Springfield,

which was adopted.

Senator Schaaf offered Senate Resolution No. 1018, regarding Emily Pullia, Glendale Heights, Illinois, which was adopted.

INTRODUCTION OF GUESTS

Senator Hegeman introduced to the Senate, Teacher Stacy Walker and third and fourth grade students from Rock Port Elementary School.

On motion of Senator Onder, the Senate adjourned until 9:00 a.m., Friday, May 12, 2017.

SENATE CALENDAR

SEVENTY-FIRST DAY—FRIDAY, MAY 12, 2017

FORMAL CALENDAR

THIRD READING OF SENATE BILLS

SCS for SB 495-Riddle

SENATE BILLS FOR PERFECTION

- | | |
|---------------------------------|-----------------------------|
| 1. SB 535-Wallingford | 9. SB 483-Holsman |
| 2. SB 523-Sater, with SCS | 10. SB 498-Nasheed |
| 3. SB 480-Kraus | 11. SB 251-Kehoe, with SCS |
| 4. SB 407-Riddle, with SCS | 12. SB 528-Hegeman |
| 5. SB 353-Wallingford, with SCS | 13. SB 307-Munzlinger |
| 6. SB 380-Riddle | 14. SB 472-Hoskins |
| 7. SB 297-Hummel, with SCS | 15. SB 524-Koenig, with SCS |
| 8. SB 474-Schatz | |

HOUSE BILLS ON THIRD READING

- | | |
|---|---|
| 1. HCS for HB 381, with SCS (Hegeman) | 6. HCS for HB 57-Haefner, with SCS
(Libla) |
| 2. HB 58-Haefner (Onder) | 7. HCS for HB 422 (Dixon) |
| 3. HB 175-Reiboldt, with SCS (Munzlinger) | 8. HB 245-Rowland, with SCS (Cunningham) |
| 4. HB 327-Morris (Curls) | 9. HB 262-Sommer (Hoskins) |
| 5. HB 680-Fitzwater, with SCS (Wasson) | |

10. HCS for HB 270 (Rowden)
11. HCS for HB 661, with SCS (Emery)
12. HB 758-Cookson, with SCS (Hegeman)
13. HCS for HB 138, with SCS (Onder)
14. HCS for HB 441 (Rowden)
15. HCS for HB 253, with SCS (Romine)
16. HB 94-Lauer (Romine)
17. HB 248-Fitzwater, with SCS
(Cunningham)
18. HB 289-Fitzpatrick, with SCS (Rowden)
19. HB 493-Bondon, with SCS (Silvey)
20. HB 52-Andrews (Hegeman)
21. HCS for HB 647, with SCS (Sater)
22. HCS for HB 353, with SCS (Sater)
23. HCS for HB 54, with SCS (Emery)
24. HB 355-Bahr (Eigel)
25. HCS for HB 122, with SCS (Onder)
26. HCS for HB 230, with SCS (Koenig)
27. HB 700-Cookson, with SCS (Libla)
28. HB 1045-Haahr (Wasson)
29. HB 909-Fraker (Wasson)
30. HCS for HB 631, with SCS (Emery)
31. HCS for HB 348 (Romine)
32. HJR 10-Brown (Romine)
33. HCS#2 for HB 502 (Rowden)
34. HCS for HB 304, with SCS (Koenig)
35. HB 871-Davis, with SCS (Kraus)
36. HB 843-McGaugh, with SCS (Hegeman)
37. HB 200-Fraker, with SCS (Sater)
38. HCS for HB 703 (Hegeman)
39. HB 956-Kidd, with SCS (Rizzo)
40. HCS for HB 199, with SCS (Cunningham)
41. HB 87-Henderson, with SCS (Romine)
42. HB 587-Redmon, with SCS (Hegeman)
43. HCS for HB 258, with SCS (Munzlinger)
44. HB 349-Brown, with SCS (Sater)
45. HCS for HB 316, with SCS
(Wallingford)
46. HB 558-Ross, with SCS (Schatz)
47. HB 586-Rhoads (Rowden)
48. HB 256-Rhoads, with SCS (Munzlinger)
49. HCS for HB 645 (Sater)
50. HCS for HB 183 (Nasheed)
51. HCS for HB 542 (Schatz)
52. HB 61-Alferman (Schatz)
53. HB 128, HB 678, HB 701 &
HB 964-Davis, with SCS (Richard)
54. HB 811-Ruth (Wieland)
55. HB 805-Basye (Rowden)
56. HB 664-Korman (Riddle)
57. HB 105-Love (Kraus)
58. HB 849-Pfautsch (Kraus)
59. HCS for HB 260, with SCS (Sater)
60. HCS for HB 1158, with SCS (Riddle)
61. HCS for HB 159 (Brown)
62. HB 598-Cornejo (Hegeman)
63. HB 469-Gannon, with SCS (Romine)
64. HCS for HB 935, with SCS (Walsh)
65. HB 193-Kelley (Emery)
66. HB 281-Rowland (Sater)
67. HB 568-Tate, with SCS (Schatz)
68. HCS for HB 741, with SCS (Wieland)
69. HB 815-Basye, with SCS (Riddle)
70. HB 557-Ross (Cunningham)
71. HCS for HB 694 (Cunningham)
72. HCS for HB 225 (Munzlinger)
73. HCS for HB 181 (Sater)
74. HB 697-Trent (Rowden)
75. HB 719-Rhoads (Munzlinger)
76. HCS for HB 261 (Onder)
77. HB 294-Lynch (Brown)
78. HCS for HB 303 (Onder)
79. HCS for HB 174, with SCS
(Wallingford)
80. HCS for HB 142 (Hoskins)
81. HCS for HB 247, with SCS (Schatz)
82. HCS for HB 334, with SCS
(Wallingford)
83. HB 571-Engler, with SCS (Romine)
84. HCS for HB 656, with SCS (Rowden)

85. HCS for HB 330 (Wasson)

87. HCB 1-McGaugh, with SCS (Dixon)

86. HB 209-Wiemann, with SCS (Riddle)

INFORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 5-Richard

SB 6-Richard, with SCS

SB 13-Dixon

SB 20-Brown

SB 21-Brown

SB 28-Sater, with SCS (pending)

SB 32-Emery, with SCS

SBs 37 & 244-Silvey, with SCS, SS for
SCS & SA 1 (pending)

SB 41-Wallingford and Emery, with SS,
SA 1 & SA 1 to SA 1 (pending)

SBs 44 & 63-Romine, with SCS

SB 46-Libla, with SCS

SB 61-Hegeman, with SCS

SB 67-Onder, et al, with SS, SA 1 &
SSA 1 for SA 1 (pending)

SB 68-Onder and Nasheed

SB 76-Munzlinger

SB 80-Wasson, with SCS

SB 81-Dixon

SB 83-Dixon

SB 85-Kraus, with SCS

SB 96-Sater and Emery

SB 97-Sater, with SCS

SB 102-Cunningham, with SCS

SB 103-Wallingford

SB 109-Holsman, with SCS

SB 115-Schupp, with SCS

SB 117-Schupp, with SCS

SB 122-Munzlinger, with SCS

SB 123-Munzlinger

SB 126-Wasson

SB 129-Dixon and Sifton, with SCS

SB 130-Kraus, with SCS

SB 133-Chappelle-Nadal

SB 138-Sater

SB 141-Emery

SB 142-Emery

SB 144-Wallingford

SB 145-Wallingford, with SCS

SB 147-Romine

SB 156-Munzlinger, with SCS

SB 157-Dixon, with SCS

SB 158-Dixon

SB 163-Romine

SB 169-Dixon, with SCS

SB 171-Dixon and Sifton, with SCS

SB 176-Dixon

SB 177-Dixon, with SCS

SB 178-Dixon

SB 180-Nasheed, with SCS

SB 183-Hoskins, with SCS

SB 184-Emery, with SS (pending)

SB 185-Onder, et al, with SCS

SB 188-Munzlinger, with SCS

SB 189-Kehoe, with SCS

SB 190-Emery, with SCS & SS#2 for SCS
(pending)

SB 196-Koenig

SB 199-Wasson

SB 200-Libla

SB 201-Onder, with SCS

SB 203-Sifton, with SCS

SB 207-Sifton

SB 209-Wallingford

SB 210-Onder, with SCS

SB 220-Riddle, with SCS & SS for SCS (pending)	SB 328-Romine, with SCS & SA 3 (pending)
SB 221-Riddle	SB 330-Munzlinger
SB 223-Schatz, with SCS	SB 331-Hegeman
SB 227-Koenig, with SCS	SB 333-Schaaf, with SCS
SB 228-Koenig, with SS & SA 1 (pending)	SB 336-Wieland
SB 230-Riddle	SB 341-Nasheed, with SCS
SB 232-Schatz	SB 348-Wasson, with SA 1 (pending)
SB 233-Wallingford	SB 349-Wasson
SB 234-Libla, with SCS	SB 358-Wieland
SB 239-Rowden, with SCS	SB 362-Hummel
SB 242-Emery, with SCS	SB 368-Rowden
SB 243-Hegeman	SB 371-Schaaf, with SA 2 & SSA 1 for SA 2 (pending)
SB 247-Kraus, with SCS	SB 378-Wallingford
SB 250-Kehoe	SB 379-Schatz
SB 252-Dixon, with SCS	SB 381-Riddle
SB 258-Munzlinger	SB 383-Eigel and Wieland
SB 259-Munzlinger	SB 384-Rowden, with SCS
SB 260-Munzlinger	SB 389-Sater, with SCS
SB 261-Munzlinger	SB 391-Munzlinger
SB 262-Munzlinger	SB 392-Holsman
SB 263-Riddle	SB 406-Wasson and Sater
SB 264-Dixon	SB 409-Koenig
SB 267-Schatz, with SCS	SB 410-Schatz
SB 271-Wasson and Richard, with SCS	SB 413-Munzlinger
SB 280-Hoskins, with SCS	SB 418-Hegeman, with SCS
SB 284-Hegeman, with SCS	SB 419-Riddle
SBs 285 & 17-Koenig, with SCS	SB 422-Cunningham, with SCS
SB 286-Rizzo	SB 426-Wasson, with SCS
SB 290-Schatz, with SCS	SB 427-Wasson
SB 295-Schaaf, with SCS	SB 430-Cunningham, with SCS
SB 298-Curls	SB 433-Sater, with SCS
SB 303-Wieland, with SCS	SB 435-Cunningham, with SCS
SB 305-Kehoe, et al, with SS, SA 3 & SA 1 to SA 3 (pending)	SB 442-Hegeman
SB 311-Wasson, with SCS	SB 445-Rowden
SBs 314 & 340-Schatz, et al, with SCS	SB 448-Emery
SB 316-Rowden, with SCS	SB 451-Nasheed, with SS (pending)
SB 325-Kraus	SB 468-Hegeman
SBs 327, 238 & 360-Romine, with SCS	SB 469-Schatz
	SB 475-Schatz

SB 485-Hoskins
SB 517-Wasson
SB 518-Emery
SB 526-Brown
SB 532-Hoskins

SJR 5-Emery, with SCS (pending)
SJR 9-Romine, with SCS
SJR 11-Hegeman, with SCS
SJR 12-Eigel
SJR 17-Kraus

HOUSE BILLS ON THIRD READING

HB 35-Plocher (Dixon)
HCS for HB 66, with SCS (Sater)
HB 85-Redmon, with SCS (Hegeman)
HCS for HBs 91, 42, 131, 265 & 314
(Brown)
HB 95-McGaugh (Emery)
HB 104-Love, with SS (pending) (Brown)
HB 207-Fitzwater (Romine)
HB 251-Taylor, with SCS, SS for SCS,
SA 2 & SA 3 to SA 2 (pending) (Onder)

HB 288-Fitzpatrick (Kehoe)
HCS for HBs 337, 259 & 575 (Schatz)
HCS for HB 427, with SCS (Kehoe)
HCS for HB 460, with SS & SA 1 (pending)
(Munzlinger)
HB 461-Kolkmeier (Munzlinger)
HB 462-Kolkmeier (Munzlinger)
HB 655-Engler (Dixon)
HCS for HBs 1194 & 1193, with SS & SA 1
(pending) (Hegeman)

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 124-Wasson, with HA 1
SCS for SB 217-Nasheed, with HA 1,
as amended
SB 394-Romine, with HCS, as amended

SB 478-Silvey and Holsman, with HCS,
as amended
SB 488-Kehoe, with HCS

BILLS IN CONFERENCE AND BILLS CARRYING REQUEST MESSAGES

In Conference

SB 8-Munzlinger, with HA 1, HA 2, HA 3,
as amended, HA 4, HA 5, HA 6, HA 7,
HA 8, as amended & HA 9, as amended
(Senate adopted CCR and passed CCS)
SCS for SB 11-Wasson, with HCS,
as amended
SB 30-Sater, with HCS, as amended

SS for SB 34-Cunningham, with HCS,
as amended (Senate adopted CCR and
passed CCS)
SS for SB 35-Cunningham, with HCS,
as amended (Senate adopted CCR and
passed CCS)
SB 95-Sater, with HCS, as amended

SCS for SB 112-Schatz, with HCS,
 as amended (Further conference granted)
 SB 114-Schatz, with HCS, as amended
 SCS#2 for SB 128-Dixon, with HA 1, HA 2,
 HA 3, as amended, & HA 4, as amended
 (Senate adopted CCR and passed CCS)
 SCS for SB 139-Sater, with HCS,
 as amended
 SB 222-Riddle, with HA 1, HA 2, HA 3 &
 HA 4, as amended (Senate adopted CCR
 and passed CCS)
 SB 225-Schatz, with HCS, as amended
 (Senate adopted CCR and passed CCS)

SB 283-Hegeman, with HCS, as amended
 SB 302-Wieland, with HCS, as amended
 SCS for SB 355-Romine, with HCS,
 as amended
 SCS for SB 421-Rizzo, with HCS,
 as amended
 SB 501-Sater, with HCS, as amended
 (Senate adopted CCR and passed CCS)
 SB 503-Munzlinger, with HA 1, HA 2 & HA 3
 HCS for HB 19, with SCS (Brown)
 HCS for HBs 90 & 68, with SS, as amended
 (Schatz) (Further conference
 granted)

Requests to Recede or Grant Conference

SB 411-Schatz, with HA 1, HA 2, HA 3,
 as amended, HA 4 & HA 5, as amended
 (Senate requests House recede & take
 up and pass bill)

HCB 3-Fitzpatrick, with SS (Koenig)
 (Senate refuses to recede & requests
 House take up and pass bill)

RESOLUTIONS

SR 197-Richard
 SR 891-Romine

SR 917-Silvey

Reported from Committee

SCR 6-Walsh
 SCR 17-Curls
 SCR 18-Wallingford

SCR 25-Cunningham, with SCS (pending)
 HCR 6-Justus (Sater)

To be Referred

REMONSTRANCE 1-Wallingford

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-FIRST DAY—FRIDAY, MAY 12, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“The end of the matter; all has been heard. Fear God and keep his commandments; for that is the whole duty of everyone.” (Ecclesiastes 12:13)

Heavenly Father in a few short hours we will bring this session to its constitutional end. So we are thankful for all the blessings You have provided us throughout this session. We pray that we have not wasted our time here nor the use of the talents each has provided. Fill our hearts with the richness of Your grace so we rejoice in Your presence and promise and know that You will never let us go. And once again we ask that You watch our “going out and coming in” bringing us safely back to loved ones who so enrich our lives and share the joys You have provided. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from St. Louis Public Radio, KSDK-TV, MissouriNet, KRCG-TV, Associated Press, KMOV-4, Columbia Missourian and KMOX were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus
Libla	Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schaaf	Schatz	Schupp	Sifton
Silvey	Wallingford	Walsh	Wasson	Wieland—33		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The Lieutenant Governor was present.

On motion of Senator Kehoe, the Senate recessed until 10:00 a.m.

RECESS

The time of recess having expired, the Senate was called to order by President Parson.

PRIVILEGED MOTIONS

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS for SCS for SB 139**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 139

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, with House Amendment No. 1, House Amendment Nos. 1 & 2 to House Amendment No. 2, House Amendment No. 2 as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 139;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 139, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
/s/ Jeanie Riddle
/s/ Caleb Rowden
Jill Schupp
Scott Sifton

FOR THE HOUSE:

/s/ David Wood
/s/ Justin Alferman
/s/ Marsha Haefner
Kip Kendrick
Cora Faith Walker

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Hummel	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schaaf	Schatz
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Nasheed	Rizzo	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, **CCS** for **HCS** for **SCS** for **SB 139**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 139

An Act to repeal sections 208.227, 208.790, 208.798, and 334.506, RSMo, and to enact in lieu thereof eight new sections relating to health care.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Rowden	Sater	Schaaf	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp
Sifton	Walsh—9					

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Hegeman, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 283**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 283

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 283, with House Amendment Nos. 1, 2, 3, 4, and 5, House Amendment No. 1 to House Amendment No. 6, House

Amendment No. 6, as amended, House Amendments Nos. 7 and 8, House Amendment No. 1 to House Amendment No. 9, House Amendment No. 9, as amended, and House Amendment Nos. 10 and 11, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 283, as amended;

2. That the Senate recede from its position on Senate Bill No. 283;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 283 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dan Hegeman
/s/ Paul Wieland
/s/ Dave Schatz
/s/ John Rizzo
/s/ Scott Sifton

FOR THE HOUSE:

/s/ Allen Andrews
/s/ John D. Wiemann
/s/ Kirk Mathews
/s/ Peter J. Merideth
/s/ Fred Wessels

Senator Hegeman moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

NAYS—Senators

Koenig Kraus—2

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Hegeman, **CCS** for **HCS** for **SB 283**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 283

An Act to repeal sections 67.402, 67.505, 67.547, 67.1364, 68.075, 94.510, 137.565, 162.492, 229.150, 233.180, and 304.120, RSMo, and to enact in lieu thereof eleven new sections relating to political subdivisions.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Emery	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Libla	Munzlinger	Nasheed	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Eigel	Koenig	Kraus	Onder—4
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Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Hegeman, title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Munzlinger, on behalf of the conference committee appointed to act with a like committee from the House on **SB 503**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 503

The Conference Committee appointed on Senate Bill No. 503, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 503, as amended;
2. That the Senate recede from its position on Senate Bill No. 503;
3. That the attached Conference Committee Substitute for Senate Bill No. 503 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Brian Munzlinger
/s/ Andrew Koenig
/s/ Will Kraus
/s/ S. “Kiki” Curls
/s/ Jacob Hummel

FOR THE HOUSE:

/s/ Jeanie Lauer
/s/ Kevin Engler
/s/ Shawn Rhoads
/s/ Tracy McCreery
/s/ Bruce Franks, Jr.

Senator Munzlinger moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Munzlinger, **CCS for SB 503**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 503

An Act to repeal sections 190.103, 190.144, 650.320, 650.325, 650.330, and 650.340, RSMo, and to enact in lieu thereof eight new sections relating to emergency services, with an emergency clause for a certain section.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Munzlinger, title to the bill was agreed to.

Senator Munzlinger moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Rizzo, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 421**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 421

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421, with House Amendment Nos. 1,2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 421;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 421 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ John Rizzo
/s/ Jacob Hummel
/s/ Denny Hoskins
/s/ Jay Wasson
/s/ Will Kraus

FOR THE HOUSE:

/s/ Bill E. Kidd
/s/ Kevin Engler
/s/ Mike Kelley
/s/ Rory Rowland
/s/ Ira Anders

Senator Rizzo moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Rizzo, **CCS** for **HCS** for **SCS** for **SB 421**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 421

An Act to repeal section 37.005, RSMo, and to enact in lieu thereof two new sections relating to the conveyance of state property.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

NAYS—Senators—None

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Rizzo, title to the bill was agreed to.

Senator Rizzo moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Sater, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SB 95**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 95

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 95, with House Amendment Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 95, as amended;
2. That the Senate recede from its position on Senate Bill No. 95;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 95 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ David Sater
 /s/ Jay Wasson
 /s/ Dan Hegeman
 /s/ John Rizzo
 /s/ Scott Sifton

FOR THE HOUSE:

/s/ Lyndall Fraker
 /s/ Elijah Haahr
 /s/ Shawn Rhoads
 /s/ Donna Baringer
 /s/ Tracy McCreery

Senator Sater moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Kraus—1

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

On motion of Senator Sater, CCS for HCS for SB 95, entitled:

CONFERENCE COMMITTEE SUBSTITUTE FOR
 HOUSE COMMITTEE SUBSTITUTE FOR
 SENATE BILL NO. 95

An Act to repeal sections 50.622, 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof eight new sections relating to public funds.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

NAYS—Senator Kraus—1

Absent—Senator Dixon—1

Absent with leave—Senators—None

Vacancies—1

The President declared the bill passed.

On motion of Senator Sater, title to the bill was agreed to.

Senator Sater moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

Senator Schatz, on behalf of the conference committee appointed to act with a like committee from the House on **HCS** for **SCS** for **SB 112**, as amended, moved that the following conference committee report be taken up, which motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2 ON
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 112

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, House Amendment No. 1 to House Amendment No. 8, House Amendment No. 8, as amended, and House Amendment Nos. 9 and 10, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112, as amended;
2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 112;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 112 be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Dave Schatz
Dan Hegeman
/s/ Denny Hoskins
/s/ S. “Kiki” Curls
/s/ Jason Holsman

FOR THE HOUSE:

/s/ Nathan Tate
/s/ Lyndall Fraker
/s/ Jack Bondon
/s/ Joe Adams
Tracy McCreery

President Pro Tem Richard assumed the Chair.

Pursuant to Senate Rule 91, Senator Hegeman requested to be excused from voting on the adoption of the conference committee report no. 2 on **HCS** for **SCS** for **SB 112** and third reading of **CCS No. 2** for **HCS** for **SCS** for **SB 112**, which request was granted.

President Parson assumed the Chair.

Senator Schatz moved that the above conference committee report be adopted, which motion prevailed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Emery	Holsman	Hoskins	Hummel
Kehoe	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Eigel	Koenig	Kraus—3
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Absent—Senators

Chappelle-Nadal	Dixon	Walsh—3
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Absent with leave—Senators—None

Excused from voting—Senator Hegeman—1

Vacancies—1

On motion of Senator Schatz, **CCS No. 2** for **HCS** for **SCS** for **SB 112**, entitled:

CONFERENCE COMMITTEE SUBSTITUTE NO. 2 FOR
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 112

An Act to repeal sections 50.622, 50.740, 54.040, 54.261, 68.075, 94.900, 94.902, 105.145, 139.100, 182.640, 182.660, 233.295, 242.460, 243.350, 245.185, 321.242, 321.246, 393.1075, 473.730, 473.743, 473.747, and 475.120, RSMo, and to enact in lieu thereof twenty-four new sections relating to political subdivisions, with a penalty provision.

Was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Curls	Emery	Holsman	Hoskins	Hummel
Kehoe	Libla	Munzlinger	Nasheed	Onder	Richard	Riddle
Rizzo	Romine	Rowden	Sater	Schaaf	Schatz	Schupp
Sifton	Silvey	Wallingford	Wasson	Wieland—26		

NAYS—Senators

Eigel	Koenig	Kraus—3
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Absent—Senators

Chappelle-Nadal	Dixon	Walsh—3
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Absent with leave—Senators—None

Excused from voting—Senator Hegeman—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Schatz, title to the bill was agreed to.

Senator Schatz moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

HOUSE BILLS ON THIRD READING

HB 655, introduced by Representative Engler, entitled:

An Act to repeal sections 135.600 and 135.630, RSMo, and to enact in lieu thereof two new sections relating to tax credits for contributions to maternity homes and pregnancy resource centers.

Was taken up by Senator Dixon.

Senator Dixon offered **SS** for **HB 655**, entitled:

SENATE SUBSTITUTE FOR HOUSE BILL NO. 655

An Act to repeal sections 135.090, 135.341, 135.562, 135.600, 135.630, and 135.647, RSMo, and to enact in lieu thereof seven new sections relating to tax credits for contributions to certain benevolent organizations.

Senator Dixon moved that **SS** for **HB 655** be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Rowden assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Dixon, **HB 655**, with **SS** (pending), was placed on the Informal Calendar.

Senator Hegeman moved that **HCS** for **HBs 1194** and **1193**, with **SS** and **SA 1** (pending), be called from the Informal Calendar and again taken up for 3rd reading and final passage, which motion prevailed.

At the request of Senator Hegeman, **SS** for **HCS** for **HBs 1194** and **1193** was withdrawn, rendering **SA 1** moot.

Senator Hegeman offered **SS No. 2** for **HCS** for **HBs 1194** and **1193**, entitled:

SENATE SUBSTITUTE NO. 2 FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 1194 & 1193

An Act to repeal sections 285.055, 288.062, and 290.528, RSMo, and to enact in lieu thereof two new sections relating to the minimum wage, with an emergency clause.

Senator Hegeman moved that **SS No. 2** for **HCS** for **HBs 1194** and **1193** be adopted and submitted the

following privileged motion:

Motion for Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Dan Hegeman	/s/ Denny Hoskins
/s/ Dave Schatz	/s/ Caleb Rowden
/s/ Paul Wieland	/s/ Will Kraus
/s/ Bob Onder	/s/ Bill Eigel
/s/ David Sater	/s/ Ron Richard
/s/ Brian Munzlinger	/s/ Jay Wasson
/s/ Mike Cunningham	/s/ Dan Brown

Senator Sifton moved that the motion for the previous question lay on the table.

Senator Sifton offered a substitute motion that the Senate postpone consideration of the above motion until 5:59 p.m., Friday, May 12, 2017.

Senator Sifton offered an amendment to the substitute motion to strike “5:59 p.m.” and insert “indefinitely”.

Senator Sifton moved the above amendment be adopted.

Senator Kraus raised the point of order that pursuant to Senate Rules 85 and 73, the previous question is a non-debatable motion.

The point of order was referred to the President Pro Tem.

At the request of Senator Kraus, the point of order was withdrawn.

Senator Kraus raised the point of order that the substitute motion is not a superceding motion and not in order pursuant to Senate Rule 73.

The point of order was referred to the President Pro Tem, who ruled it well taken, rendering the amendment to the substitute motion moot.

Senator Sifton offered a substitute motion to postpone indefinitely the consideration of the motion for the previous question.

Senator Kraus raised the point of order that the substitute motion is not a superceding motion under Senate Rule 73.

At the request of Senator Sifton, the substitute motion was withdrawn, rendering the point of order moot.

Senator Sifton offered a substitute motion to lay the preceding motion on the table.

Senator Onder raised the point of order that under Senate Rule 73 there are two superceding motions to the previous question and that the present amendment to the superceding motion is not one of them and therefore is out of order.

The point of order was referred to the President Pro Tem, who ruled it well taken.

Senator Schaaf raised the point of order that he was seeking recognition to speak on the point of order prior to the President Pro Tem ruling on it.

The point of order was referred to the President Pro Tem, who ruled it not well taken.

The President Pro Tem again ruled that the point of order raised by Senator Onder was well taken.

The motion for the previous question to lay on the table was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Dixon	Libla	Romine	Schaaf	Silvey—6
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NAYS—Senators

Brown	Cunningham	Curls	Eigel	Emery	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Koenig	Kraus	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Wallingford	Walsh	Wasson	Wieland—27	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Holsman requested verification of the roll.

Having voted on the prevailing side, Senator Holsman moved that the vote by which the motion to lay on the table was defeated, be reconsidered.

Senator Schatz raised the point of order that pursuant to Senate Rule 84, the motion for the previous question should be put to a vote without debate, therefore the motion for the previous question to lay on the table under Rule 73 is out of order.

The point of order was referred to the President Pro Tem.

At the request of Senator Schatz, the point of order was withdrawn.

The motion to reconsider the vote by which the motion to lay the previous question on the table was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Nasheed	Rizzo
Schaaf	Schupp	Sifton	Walsh—11			

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Romine	Rowden	Sater	Schatz	Silvey	Wallingford	Wasson
Wieland—22						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Walsh moved that pursuant to Senate Rule 73, the Senate adjourn to 11:00 a.m., May 22, 2017, and requested a roll call vote be taken. She was joined in her request by Senators Holsman, Hummel, Schupp and Sifton.

The motion to adjourn was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Sifton	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Munzlinger	Onder	Richard	Riddle	Rowden
Sater	Schatz	Wallingford	Wasson	Wieland—19		

NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Libla	Nasheed
Rizzo	Romine	Schaaf	Schupp	Sifton	Silvey	Walsh—14

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

SS No. 2 for HCS for HBs 1194 and 1193 was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Hegeman moved that **SS No. 2** for **HCS** for **HBs 1194** and **1193** be third read and passed and submitted the following privileged motion:

Shall the Main question be now put?

Signed:

/s/ Dan Hegeman	/s/ Caleb Rowden
/s/ Paul Wieland	/s/ Will Kraus
/s/ Dave Schatz	/s/ Bill Eigel
/s/ Bob Onder	/s/ Ron Richard
/s/ Brian Munzlinger	/s/ Jay Wasson
/s/ Mike Cunningham	/s/ Dan Brown
/s/ Denny Hoskins	

Senator Sifton moved that the bill be laid on the table, which motion was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Rizzo	Schaaf	Schupp
Sifton	Walsh—9					

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schatz	Silvey
Wallingford	Wasson	Wieland—24				

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Nasheed moved that the Senate adjourn until 11:00 a.m., May 22, 2017, and requested a roll call vote be taken. She was joined in her request by Senators Holsman, Hummel, Schupp and Sifton.

The motion to adjourn was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Wallingford	Wasson
Wieland—22						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Holsman requested verification of the roll.

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schatz	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Nasheed	Rizzo
Romine	Schaaf	Schupp	Sifton	Silvey	Walsh—13	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

SS No. 2 for HCS for HBs 1194 and 1193 was 3rd read and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
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Schupp

Sifton

Walsh—10

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

The president declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Rizzo	Schaaf	Schupp
Sifton	Walsh—9					

Absent—Senator Nasheed—1

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested a verification of the roll.

Senator Hegeman moved that the title to the bill be agreed to.

Pursuant to Senate Rule 86, Senator Sifton joined by Senator Schupp, requested that the titling motion be reduced to writing and distributed, which request was granted.

Senator Hegeman submitted the following privileged motion:

Shall the Main question be now put?

Signed:

/s/ Dan Hegeman /s/ Denny Hoskins

/s/ Paul Wieland /s/ Caleb Rowden

/s/ Dave Schatz /s/ Will Kraus

/s/ Bob Onder /s/ Bill Eigel

/s/ Brian Munzlinger /s/ Ron Richard

/s/ Mike Cunningham /s/ Dan Brown

/s/ Jay Wasson

Senator Sifton offered a substitute motion that the bill lay on the table and requested a roll call vote be taken. He was joined in his request by Senators Chappelle-Nadal, Curls, Hummel and Rizzo.

The substitute motion was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hummel	Rizzo	Schaaf	Schupp	Sifton—7
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NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Nasheed
Onder	Richard	Riddle	Romine	Rowden	Sater	Schatz
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

Having voted on the prevailing side, Senator Holsman moved that the vote by which the substitute motion to lay the bill on the table was defeated be reconsidered, which motion was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Walsh moved the Senate adjourn to 11:00 a.m., May 22, 2017, and requested a roll call vote be taken. She was joined in her request by Senators Rizzo, Schaaf, Sifton and Schupp.

The motion to adjourn was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Rizzo	Schaaf	Schupp
Sifton	Silvey	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schatz	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

Having voted on the prevailing side, Senator Holsman requested the vote by which the motion to adjourn was defeated be reconsidered.

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

The motion for the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Libla	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schatz	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Chappelle-Nadal	Curls	Dixon	Holsman	Hummel	Nasheed	Rizzo
Romine	Schaaf	Schupp	Sifton	Silvey	Walsh—13	

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

The title to the bill was agreed to.

Senator Hegeman moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table.

Senator Holsman requested a roll call vote be taken on the motion to lay on the table and was joined in his request by Senators Hummel, Schaaf, Schupp and Sifton.

The motion to lay on the table was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Holsman
Hoskins	Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder
Richard	Riddle	Romine	Rowden	Sater	Schatz	Sifton
Silvey	Wallingford	Wasson	Wieland—25			

NAYS—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Rizzo	Schaaf	Schupp
Walsh—8						

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Holsman requested verification of the roll.

Having voted on the prevailing side, Senator Sifton moved that the vote by which the motion to lay on the table was adopted be reconsidered, which motion was defeated by the following vote:

YEAS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Nasheed	Rizzo	Schaaf
Schupp	Sifton	Walsh—10				

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Silvey	Wallingford
Wasson	Wieland—23					

Absent—Senators—None

Absent with leave—Senators—None

Vacancies—1

Senator Sifton requested verification of the roll.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 309**, entitled:

An Act to repeal sections 56.363, 56.805, 56.807, 56.814, 56.818, 56.833, 56.840, 169.324, 169.460, 169.490, 169.560, and 488.2206, RSMo, and to enact in lieu thereof twelve new sections relating to public employee retirement systems.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 326**, entitled:

An Act to repeal sections 347.015, 347.020, 347.048, 347.740, 351.127, 355.023, 356.233, 359.653, 400-9.528, and 417.018, RSMo, and to enact in lieu thereof eleven new sections relating to business organizations.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SCS** for **SB 84**, entitled:

An Act to repeal sections 542.400, 542.402, 542.406, 542.412, 542.414, 542.416, 542.418, and 542.420, RSMo, and to enact in lieu thereof nine new sections relating to the authority to engage in certain investigative practices, with penalty provisions.

With House Amendment No. 1.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Committee Substitute for Senate Bill No. 84, Page 1, Section 542.400, Line 13, by deleting immediately after the word “**waves**” the comma “,”; and

Further amend said bill, Page 4, Section 542.405, Lines 22-23, by deleting the phrase “**targeted including**,” and inserting in lieu thereof the phrase “**targeted, including**”; and

Further amend said bill, page, and section, Line 26, by deleting the phrase “**warrant, and if so**” and inserting in lieu thereof the phrase “**warrant and, if so**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SB 125**, entitled:

An Act to repeal sections 191.1100, 191.1110, 324.001, 326.256, 326.259, 326.265, 326.280, 326.283, 326.286, 326.289, 326.292, 326.307, 326.310, 326.313, 326.316, 326.325, 327.313, 327.321, 328.080, 328.100, 329.010, 329.040, 329.050, 329.060, 329.070, 329.080, 329.085, 329.130, 332.081, 334.037, 334.104, 334.735, 336.080, and 345.051, RSMo, and to enact in lieu thereof fifty-eight new sections relating to the regulation of certain professions.

With House Amendment No. 1, House Amendment No. 2, House Amendment No. 3 and House Amendment No. 4.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Bill No. 125, Page 1, Section A, Line 11, by inserting immediately after all of said section and line the following:

“36.020. Unless the context clearly requires otherwise, the following terms mean:

(1) “Agency”, “state agency” or “agency of the state”, each department, board, commission or office of the state except for offices of the elected officials, the general assembly, the judiciary and academic institutions;

(2) “Appointing authority”, an officer or agency subject to this chapter having power to make appointments;

(3) “Board”, the personnel advisory board as established by section 36.050;

(4) “Broad classification band”, a grouping of positions with similar levels of responsibility or expertise;

(5) “Class” or “class of positions”, a group of positions subject to this chapter sufficiently alike in duties, authority and responsibilities to justify the same qualifications and the same schedule of pay to all positions in the group;

(6) “Director”, the director of the division of personnel of the office of administration;

(7) “Disabled veteran”, a veteran who has served on active duty in the Armed Forces at any time who receives compensation as a result of a service-connected disability claim allowed by the federal agency responsible for the administration of veteran’s affairs, or who receives disability retirement or disability pension benefits from a federal agency as a result of such a disability or a National Guard veteran who was permanently disabled as a result of active service to the state at the call of the governor;

(8) “Division of service” or “division”, a state department or any division or branch of the state, or any agency of the state government, all the positions and employees in which are under the same appointing authority;

(9) “Eligible”, a person whose name is on a register or who has been determined to meet the qualifications for a class or position;

(10) “Examination”, a means of determining eligibility or fitness for a class or position;

[(10)] (11) “Open competitive examination”, a [test] **selections process** for positions in a particular class, admission to which is not limited to persons employed in positions subject to this chapter;

[(11)] (12) “Promotional examination”, a [test] **selections process** for positions in a particular class, admission to which is limited to employees with regular status in positions subject to this chapter;

[(12)] (13) “Public hearing”, a hearing held after public notice at which any person has a reasonable opportunity to be heard;

[(13)] (14) “Register of eligibles”, a list of persons who have been found qualified by an open competitive examination for appointment to a position;

[(14)] (15) “Regular employee”, an employee who has successfully completed a probationary period as provided in section 36.250;

[(15)] (16) “Reinstatement register”, a list of persons who have been regular employees and who have been laid off in good standing due to lack of work or funds, or other similar cause, or who have been demoted in lieu of layoff;

[(16)] (17) “State equal employment opportunity officer”, the individual designated by the governor or the commissioner of administration as having responsibility for monitoring the compliance of the state as an employer with applicable equal employment opportunity law and regulation and for leadership in efforts to establish a state workforce which reflects the diversity of Missouri citizens at all levels of employment;

[(17)] (18) “Surviving spouse”, the unmarried surviving spouse of a disabled veteran or any person who was killed while on active duty in the Armed Forces of the United States or an unmarried surviving spouse of a National Guard veteran who was killed as a result of active service to the state at the call of the governor;

[(18)] (19) “Veteran”, any person who is a citizen of this state who has been separated under honorable conditions from the Armed Forces of the United States who served on active duty during peacetime or wartime for at least six consecutive months, unless released early as a result of a service-connected disability or a reduction in force at the convenience of the government, or any member of a reserve or National Guard component who has satisfactorily completed at least six years of service or who was called or ordered to active duty by the President and participated in any campaign or expedition for which a campaign badge or service medal has been authorized.

36.100. 1. The director shall ascertain the duties, authority and responsibilities of all positions subject to this chapter. After consultation with the appointing authorities, the director shall prepare and recommend to the board, and maintain on a continuing basis, a position classification plan, which shall group all positions in the classified service in classes, based on their duties, authority and responsibilities. Except as provided in subsection 2 of this section, The position classification plan shall set forth, for each class of positions, a class title and a statement of the duties, authority and responsibilities thereof, and the qualifications that are necessary or desirable for the satisfactory performance of the duties of the class; provided, that no plan shall be adopted which prohibits the substitution of experience for education for each class of positions, except that, the board may determine that there is no equivalent substitution in particular cases. Classifications should be sufficiently broad in scope to include as many comparable positions as possible both on an intra- and inter-departmental basis, including both merit and nonmerit agencies.

2. The classification plan may group [management] positions with similar levels of responsibility or

expertise into broad classification bands.

3. The director shall require an initial and ongoing review of the number of classifications in each division of service and shall, in consultation with the agencies, eliminate and combine classes when possible, taking into consideration the recruitment, examination, selection and compensation of personnel in the various classes.

36.120. 1. Before establishing a new position in divisions of the service subject to this chapter, or before making any permanent and substantial change of the duties, authority or responsibilities of a position subject to this chapter, an appointing authority shall notify the director in writing of the appointing authority's intention to do so, except where the positions may be allocated by the appointing authority.

2. The director may at any time allocate any new position to a class, or change the allocation of any position to a class, or recommend to the board changes in the classification plan. Any change in the classification plan recommended by the director shall take effect when approved by the board, or on the ninetieth day after it is recommended to the board if prior thereto the board has not approved it. In case of necessity requiring the immediate establishment of a new class, the director may establish such a class on an interim basis pending approval of the class by the board as recommended by the director.

3. When the allocation of a position to a class is changed, the director shall notify the appointing authority. If allocation authority is delegated, the appointing authority shall notify the director of any changes in the allocation. If the position is filled at the time of reallocation to a class, the appointing authority shall immediately notify the incumbent of the position regarding the allocation change. If the incumbent does not agree with the new allocation, the incumbent may, under conditions specified in the rules, submit to the director a request for a review of the allocation of the position.

4. If any change is made in the classification plan by which a class of positions is divided, altered, or abolished, or classes are combined, the director shall forthwith reallocate the positions affected to their appropriate classes in the amended classification plan. An employee who is occupying a position reallocated to a different class shall, subject to the regulations, be given the same status in the new class as previously held in the class from which his or her position is reallocated. [The director may require that the employee achieve a satisfactory grade on a noncompetitive test of fitness for the class to which his or her position has been reallocated.] **The employee shall possess the minimum qualifications for the class to which his or her position has been reallocated.**

5. After a class of positions has been approved by the board, the director is authorized to make such changes in the class title or in the statement of duties and qualifications for the class as the director finds necessary for current maintenance of the classification plan; provided, however, that changes which materially affect the nature and level of a class or which involve a change in salary range for the class shall be approved by the board.

36.140. 1. After consultation with appointing authorities and the state fiscal officers, and after a public hearing, the director shall prepare and recommend to the board a pay plan for all classes subject to this chapter. The pay plan shall include, for each class of positions, a minimum and a maximum rate, and such provision for intermediate rates as the director considers necessary or equitable. **The pay plan may also provide for the use of open, or stepless, pay ranges.** The pay plan may include provision for grouping of [management] positions with similar levels of responsibility or expertise into broad classification bands for purposes of determining compensation and for such salary differentials and other pay structures as the director considers necessary or equitable. In establishing the rates, the director shall give consideration to

the experience in recruiting for positions in the state service, the rates of pay prevailing in the state for the services performed, and for comparable services in public and private employment, living costs, maintenance, or other benefits received by employees, and the financial condition and policies of the state. These considerations shall be made on a statewide basis and shall not make any distinction based on geographical areas or urban and rural conditions. The pay plan shall take effect when approved by the board and the governor, and each employee appointed to a position subject to this chapter after the adoption of the pay plan shall be paid according to the provisions of the pay plan for the position in which he or she is employed; provided, that the commissioner of administration certifies that there are funds appropriated and available to pay the adopted pay plan. The pay plan shall also be used as the basis for preparing budget estimates for submission to the legislature insofar as such budget estimates concern payment for services performed in positions subject to this chapter. Amendments to the pay plan may be recommended by the director from time to time as circumstances require and such amendments shall take effect when approved as provided by this section. The conditions under which employees may be appointed at a rate above the minimum provided for the class, or advance from one rate to another within the rates applicable to their positions, shall be determined by the regulations.

2. Any change in the pay plan shall be made on a uniform statewide basis. No employee in a position subject to this chapter shall receive more or less compensation than another employee solely because of the geographical area in which the employee lives or works.

36.170. 1. The director [shall from time to time] **may** conduct such open competitive and promotional examinations as the director considers necessary. The examinations shall be of such character as to determine the [relative] qualifications, fitness and ability of the persons tested to perform the duties of the **position or** class for which a register is to be established. No question shall be so framed as to elicit information concerning the political or religious opinions or affiliations of an applicant.

2. Agencies may request authority from the director, **or the director may delegate authority to agencies**, to administer examinations for **some or** all positions[, in accordance with rules adopted by the board] **or job classes**. When such [a request is approved] **action is taken**, the director[, in accordance with rules established by the board,] shall establish standards and guidelines to be followed.

3. Pursuant to rules promulgated by the board, appointing authorities may request that the division of personnel administer promotional examinations limited to those already employed by the state or within the department or division of service involved.

4. All examinations **requiring an applicant's physical presence** conducted by the director shall be conducted in a location which is [fully] accessible to persons with disabilities or if such a facility is not available in a given location for such regular examinations, a special examination will be arranged upon request of an applicant with a disability in a facility which is [fully] accessible.

36.180. 1. The standards of education or experience in the classification plan for each class shall be established on the basis of specified knowledge, skills and abilities. Admission to examinations **or the opportunity to be considered for appointment** shall be open to all persons who possess the qualifications and who may be lawfully appointed to a position in the class for which a register is to be established. [The regulations may also require that applicants achieve at least a satisfactory grade in each progressive part of the examination in order to be admitted to subsequent parts of the examination or to receive a final passing score.]

2. [To ensure competitive equality between the hearing impaired or the blind and persons not so

disabled, the applicant may request from the director the furnishing of a certified interpreter for the hearing impaired or an amanuensis or a reader for the blind when necessary, and the furnishing of a place to take such examination, or such other similar prerequisites to ensure equality in such examination.] **An applicant may request a reasonable accommodation in order to have an opportunity to compete for positions subject to this chapter. The director and the appointing authority filling the particular position shall ensure that reasonable accommodations are granted to applicants to offer them an opportunity to compete for positions.**

3. The director may reject the application of any person for admission to an examination, strike the name of any person from the register, refuse to certify the name of any person, or withdraw the certification of a person if the director finds that the person lacks any of the qualifications, has been convicted of a crime which raises questions about his or her qualifications, has been dismissed from the public service for delinquency, has made a false statement of a material fact or practiced or attempted to practice any fraud or deception, in his or her application or examination or in attempting to secure appointment.

4. The director may take such action as is authorized in subsection 3 of this section if the director finds the person has a health condition or disability which would clearly prohibit the person from performing the duties required for the position for which the applicant has applied.

36.190. 1. [The director shall give] **Appropriate** public notice [of] **shall be given for** each open competitive [and promotional] examination **or when a job class is opened for recruitment** sufficiently in advance [of such examination] and sufficiently widespread in scope to afford persons who are interested [in participating in the examination] a reasonable opportunity to apply. [The time elapsing between the official announcement of an examination and the holding of such examination shall be not less than two calendar weeks, except that a lesser period of advance notice may be permissible under the regulations when the examination is conducted under the provisions of subsection 3 of section 36.320 or when the needs of the service pursuant to subsection 1 of section 36.260 require special notices.]

2. Each official notice of an examination **or of when a job class or position is opened for recruitment** shall state the title, duties, pay and qualifications of [positions for which the examination is to be held] **the job class or position**; the time, place and manner of making application [for admission to such examination;] and any other information which [the director consider] **may be considered** pertinent and useful.

3. The director shall ensure that the official announcement of an examination is given the widest distribution necessary to inform qualified persons that the examination is being given. The director may use any means that the director considers necessary to inform qualified persons about the examination. These include, but are not limited to, paid advertisements in newspapers, periodicals, electronic media and announcements to educational institutions. The director may also publish a periodic bulletin containing information about examinations to be sent to subscribers at a price approximating the cost of publication.

36.200. The methods for [rating the various parts of the examinations and the minimum satisfactory grade] **evaluating the qualifications of each applicant** shall be determined by the regulations. Each person who takes any examination shall be given written notice, **which may be by electronic means**, as to whether [he passed or failed the examination] **the applicant is eligible for a particular job class**, and [he] shall be entitled to inspect [his ratings and] **the applicant's** examination papers, but examination papers shall not be open to the general public. A manifest error in [rating an examination which affects the relative ranking of persons] **an eligibility determination** shall be corrected if called to the attention of the director within

thirty days after the [establishment of the register] **determination**, but such correction shall not invalidate any appointment previously made from such a register unless it is established that the error was made in bad faith and with intent to deprive a person of certification **or to gain certification for a person that does not meet the minimum qualifications for the class involved.**

36.210. Other provision of the law to the contrary notwithstanding, special procedures for the examination and selection of personnel are authorized as follows:

[(1) For positions involving unskilled or semiskilled labor, or domestic, attendant, custodial or comparable work, when the character or place of the work makes it impracticable to supply the needs of the service by appointments made in accordance with the procedure prescribed in other provisions of this chapter, the director, in accordance with the regulations, shall authorize the use of such other procedures as the director determines to be appropriate in order to meet the needs of the service, while assuring the selection of such employees on the basis of merit and fitness. Such procedures, subject to the regulations, may include the testing of applicants and maintenance of registers of eligibles by localities; the testing of applicants, singly or in groups, at periodic intervals, at the place of employment or elsewhere, after such notice as the director considers adequate; the registration of applicants who pass a noncompetitive examination or submit satisfactory evidence of their qualifications, and appointment of registered applicants; or any variation or combination of the foregoing or other suitable methods. When the director finds noncompetitive registration and selection procedures to be appropriate, the director is hereby authorized to delegate to each appointing authority the responsibility for such registration and for selection and appointment of registered applicants. When such delegation is made, the director shall establish the necessary guidelines and standards for appointing authorities and shall require such reports and perform such audits as the director deems necessary to ensure compliance with these guidelines and standards.]

[(2)] (1) The regulations may prescribe the conditions under which interns, trainees, and participants in special state or federal training, rehabilitation, and employment programs who successfully complete a period of internship or training may be appointed to a permanent position subject to this chapter after passing a noncompetitive qualifying examination.

[(3) The board may, in accordance with the regulations, waive competitive examinations for a class or position if it finds that the supply of qualified applicants is generally insufficient to justify competitive examinations and provide meaningful competition in the selection of employees. A request that competitive examination be waived for a particular class or position pursuant to this provision may be made to the board by the director or an appointing authority. The board shall review determinations pursuant to this provision at least annually. Upon waiving such examinations, the regulations of the board shall provide for the registration and appointment of applicants who present satisfactory evidence of their qualifications.]

[(4)] (2) Upon the approval of the director in accordance with the regulations of the board, appointing authorities may promote employees on the basis of a qualifying noncompetitive examination. Such noncompetitive promotions may be approved in, but are not necessarily limited to, situations in which the promotion represents a normal progression to the next higher level within an established occupational job series, or where the director determines that an employee has been an assistant, understudy or trainee for the position involved or otherwise has had such specific experience or training that a noncompetitive promotion to the position in question is to the best interests of the state service.

[(5)] (3) Appointing authorities may request, pursuant to regulations established by the board, to conduct alternative promotional procedures for positions and classes in their divisions of service. The board shall

approve such alternative procedures which it finds to be in keeping with merit principles and the best interest of the state service. Upon approval, the appointing authority shall be responsible to conduct promotional procedures in accordance with the board's approval and without favoritism, prejudice or discrimination. The board may withdraw approval pursuant to this provision if it finds that this responsibility has not been met.

[(6)] (4) Where appropriate, the director may establish registers by locality for selected classes.

36.220. 1. In any competitive examination given for the purpose of establishing a register of eligibles, veterans, disabled veterans, surviving spouses, and spouses of disabled veterans shall be given preference in appointment and examination [in the following manner:]. **For positions and classifications with unranked registers, a veteran, or the surviving spouse of a veteran, a disabled veteran, or the spouse of a disabled veteran shall be given preference in appointments over other eligibles if all other relevant job-related factors are equal. Applicants eligible for a veterans preference will be listed before other eligibles on each certificate. Applicants eligible for a veterans preference will also be identified on the certificate as eligible for the preference.**

[(1) A veteran, or the surviving spouse of any veteran whose name appears on a register of eligibles who made a passing grade, shall have five points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade.

(2) The spouse of a disabled veteran, whose name appears on a register of eligibles and who made a passing grade, shall have five points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade. This preference shall be given only if the veteran is not employed in the state service and the disability renders him or her unqualified for entrance into the state service.

(3) A disabled veteran, whose name appears on a register of eligibles and who made a passing grade, shall have ten points added to his or her final grade, and his or her rank on the register shall be determined on the basis of this augmented grade.]

2. Any person who has been honorably discharged from the Armed Forces of the United States shall receive appropriate credit for any training or experience gained therein in any examination if the training or experience is related to the duties of the class of positions for which the examination is given.

36.225. 1. In any competitive examination given for the purpose of establishing a register of eligibles, a parental preference shall be given to persons who were previously employed by the state but terminated such employment to care for young children. This preference shall be given only for persons who were full-time homemakers and caretakers of children under the age of ten and were not otherwise gainfully employed for a period of at least two years.

2. [If the name of a person eligible for a parental preference appears on a register of eligibles who made a passing grade, such person shall have five points added to the final grade, and the rank of such person on the register shall be determined on the basis of this augmented grade.] **For positions and classifications with unranked registers, applicants entitled to parental preference shall be given this preference in appointments over other eligibles, excluding applicants eligible for a veterans preference, if all other relevant job-related factors are equal.**

36.240. 1. Whenever an appointing authority proposes to fill one or more vacancies in a class of positions subject to this chapter, the appointing authority shall submit to the director, as far in advance of

the desired appointment date as possible, a requisition for the certification of eligible persons from an appropriate register. The requisition shall contain information as required by the director. The appointing authority, subject to conditions specified in the regulations, may also designate special requirements of domicile or the possession of special skills. If the director finds that such requirements would contribute substantially to effective performance of the duties involved, certification may be limited to persons on the register who meet such requirements.

2. When vacancies to be filled are in a class from which employees have been laid off, or demoted in lieu of layoff, certification shall be limited to previous employees until all employees of a division of service on the appropriate reinstatement register have been reinstated in order of rank on the register. Thereafter, certification from reinstatement and other registers shall be in accordance with the provisions of this section and the regulations of the board.

3. Upon a request for certification, the director shall certify for selection [the names of the top fifteen ranking available eligibles or] the names of available eligibles. [comprising the top ranking fifteen percent of available eligibles, whichever is greater, plus such additional eligibles as have a final rating equal to that of the last certified eligible. Upon request of the appointing authority, the director may also certify, for each additional vacancy to be filled from the same certification, the next five ranking available eligibles plus such additional eligibles as have a final rating equal to that of the last certified eligible.

4. If the director finds that the nature of the examination process and the type of positions involved justify alternative procedures for filling vacancies, the board may by rule prescribe such procedures which may include certification by broad category of examination rating or within a specified range of scores.]

[5] 4. When a position in divisions of the service subject to this chapter is limited in duration, certification may be limited to [the highest ranking eligible] **any eligible** who will accept employment under such conditions. A person appointed to a position under such conditions shall retain his or her [relative] position on the register and shall be eligible for certification to a permanent position [in the regular order] until the register itself has expired. If a temporary position is limited to less than ninety calendar days' duration, the appointing authority may fill the position by temporary appointment in the manner provided in section 36.270.

[6] 5. The rules shall prescribe the conditions under which the name of an eligible who has been certified to and considered for appointment by an appointing authority but has not been appointed may be withheld from further certification to such appointing authority. The eligible shall be entitled to retain his or her place on the eligible register during the life of the register, and shall be certified [in the order of his or her rank] to other vacancies in the class under other appointing authorities.

[7] 6. Eligibles who are not available for appointment when offered certification shall be granted a waiver of certification upon their request. Eligibles who do not respond within a reasonable period to a notice of certification may at the discretion of the director be dropped from the eligible register.

[8] 7. Any person who has obtained regular status in a class of positions subject to subsection 1 of section 36.030 and who has resigned from state service in good standing or who has accepted demotion or transfer for personal reasons may be reemployed without competitive certification in the same or comparable class at the discretion of the appointing authority and under conditions specified in the regulations. Any person who has successfully served at least one year in a position not subject to subsection 1 of section 36.030, but which is subject to section 36.031, and who has resigned from state service in good standing or who has accepted demotion or transfer for personal reasons, may be reemployed without

competitive certification in the same or comparable class at the discretion of the appointing authority and under conditions specified in the regulations, provided he or she possesses the qualifications [and has successfully completed a noncompetitive examination] for the class involved. No one shall be reemployed pursuant to this section until reinstatement has first been offered to all eligibles on the reinstatement register for the class and division of service involved.

[9] 8. Preference in certification and appointment from promotional registers or registers of eligibles under conditions specified in the regulations, may be given to employees of the division of service in which the vacancy occurs.

36.320. 1. The director shall establish and maintain such promotional registers and registers of eligibles for the various **positions or** classes of positions subject to this chapter as the director deems necessary or desirable to meet the needs of the service. On each promotional register and register of eligibles, the eligibles [shall] **may** be ranked in the order of their ratings given for the purpose of establishing or replenishing such a register **or may be unranked and placed on the register if the applicant meets the minimum criteria for the position or class.**

2. The time during which a promotional register or register of eligibles remains in force shall be [one year from the date on which it is officially established by the director; except that, before the expiration of a register, the director may by order extend the time during which such register remains in force when the needs of the service so require] **determined by the director so as to best meet the needs of the service.** In no event shall the total period during which a register is in force exceed three years from the date on which the register was originally established. The director may consolidate or cancel promotional registers and registers of eligibles as the needs of the service require[, and as authorized by the regulations].

3. In circumstances where there is a continuous need for substantial numbers of eligibles for a certain class of positions, the director may, after first establishing such a register, replenish the register from time to time by inserting the names of additional eligibles who are found to be qualified on the basis of determinations similar to those used as a basis for establishing the original register. The method for establishing, replenishing, and cancelling such a register shall be determined by the regulations.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Bill No. 125, Page 38, Section 328.080, Line 7, by deleting the words “and of good moral character” and inserting in lieu thereof the words “[and of good moral character]”; and

Further amend said bill and section, Page 39, Lines 23-24, by deleting all of said lines and inserting in lieu thereof the following:

“[5. For the purposes of meeting the minimum requirements for examination, the apprentice training shall be recognized by the board for a period not to exceed five years.]”; and

Further amend said bill, Page 45, Section 329.050, Lines 32-33, by deleting the phrase “[which has substantially the same requirements as an educational establishment licensed pursuant to this chapter]” and inserting in lieu thereof the phrase “which has substantially the same requirements as an educational establishment licensed pursuant to this chapter”; and

Further amend said bill, Pages 50-51, Section 329.275, Lines 5-26, by deleting all of said lines and

inserting in lieu thereof the following:

“2. No person shall engage in hair braiding for compensation in the state of Missouri without first registering with the board. The purpose of registration of hair braiders is only to maintain a listing of those persons who engage in hair braiding for compensation in the state and does not authorize the board to license or regulate the practice of hair braiding in this state, except as provided in subsection 6 of this section. Applicants for a certificate of registration to engage in hair braiding shall submit to the board an application and a required fee, as set by the board. Such fee shall not exceed twenty dollars. Prior to receiving a certificate, each applicant shall also watch an instructional video prepared by the board in accordance with subsection 4 of this section.

3. Registered hair braiders shall keep their information that the board requires for initial registration current and up to date with the board.

4. The board shall develop and prepare an instructional video, no more than two hours in length, that contains information about infection control techniques and diseases of the scalp. The instructional video shall be made available to applicants through the board’s website.

5. Any person who registers as a hair braider under this section shall post a copy of his or her certificate of registration in a conspicuous place at his or her place of business. If the person is operating outside his or her place of business he or she shall give the client or customer a copy of his or her certificate of registration.

6. (1) The board may inspect hair braiding establishments or facilities where hair braiding occurs during business hours to ensure:

(a) Persons registered as hair braiders are not operating outside the scope of practice of hair braiding; and

(b) Compliance with this section and rules promulgated thereunder;

(2) In addition to the causes listed in section 329.140, the board may also suspend or revoke a certificate of registration if a person registered as a hair braider is found to be operating outside the scope of practice of hair braiding.”; and

Further amend said bill Page 92, Section 621.280, Line 18, by inserting immediately after all of said section and line the following:

“[316.265. No employee or employer primarily engaged in the practice of combing, braiding, or curling hair without the use of potentially harmful chemicals shall be subject to the provisions of chapter 329 while working in conjunction with any licensee for any public amusement or entertainment venue as defined in this chapter.]”;

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 3

Amend House Committee Substitute for Senate Bill No. 125, Page 4, Section 192.500, Line 18, by inserting immediately after said section and line the following:

“317.006. 1. The division shall have general charge and supervision of all professional boxing, sparring,

professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, and it shall have the power, and it shall be its duty:

(1) To make and publish rules governing in every particular professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate contests, **professional mixed martial arts, and amateur mixed martial arts**;

(2) To make and publish rules governing the approval of amateur sanctioning bodies;

(3) To accept applications for and issue licenses to contestants in professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, and referees, judges, matchmakers, managers, promoters, seconds, announcers, timekeepers and physicians involved in professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, and amateur mixed martial arts** contests held in the state of Missouri, as authorized herein. Such licenses shall be issued in accordance with rules duly adopted by the division;

(4) To charge fees to be determined by the director and established by rule for every license issued and to assess a tax of five percent of the gross receipts of any person, organization, corporation, partnership, limited liability company, or association holding a promoter's license and permit under sections 317.001 to 317.021, derived from admission charges connected with or as an incident to the holding of any professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contest in the state of Missouri. Such funds shall be paid to the division of professional registration which shall pay said funds into the Missouri state treasury to be set apart into a fund to be known as the "Athletic Fund" which is hereby established;

(5) To assess a tax of five percent of the gross receipts of any person, organization, corporation, partnership, limited liability company or association holding a promoter's license under sections 317.001 to 317.021 derived from the sale, lease or other exploitation in this state of broadcasting, television, pay-per-view, closed-circuit telecast, and motion picture rights for any professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contest. Such funds shall be paid to the division which shall pay said funds into the Missouri state treasury to be set apart into a fund to be known as the "Athletic Fund";

(6) Each cable television system operator whose pay-per-view or closed-circuit facilities are utilized to telecast a bout or contest shall, within thirty calendar days following the date of the telecast, file a report with the office stating the number of orders sold and the price per order.

2. All fees established pursuant to sections 317.001 to 317.021 shall be determined by the director by rule in such amount as to produce sufficient revenue to fund the necessary expenses and operating costs incurred in the administration of the provisions of sections 317.001 to 317.021. All expenses shall be paid as otherwise provided by law.

317.011. 1. The division shall have the power, and it shall be its duty, to accept application for and issue permits to hold professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests

in the state of Missouri, and to charge a fee for the issuance of same in an amount established by rule; such funds to be paid to the division which shall pay such funds into the Missouri state treasury to be set apart into the athletic fund.

2. The provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of general revenue until the amount in the fund at the end of the biennium exceeds two times the amount of the appropriation from the fund for the preceding fiscal year or, if the division requires by rule renewal **of the permits** less frequently than yearly then three times the appropriation from the fund for the preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the fund which exceeds the appropriate multiple of the appropriations from the fund for the preceding fiscal year.

3. The division shall not grant any permit to hold professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests in the state of Missouri except:

(1) Where such professional boxing, sparring, professional wrestling, professional kickboxing [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contest is to be held under the auspices of a promoter duly licensed by the division; and

(2) Where a fee has been paid for such permit, in an amount established by rule.

4. In such contests a decision shall be rendered by three judges licensed by the division.

5. Specifically exempted from the provisions of this chapter are contests or exhibitions for amateur boxing[, amateur kickboxing,] **and** amateur wrestling [and amateur full-contact karate]. However, all amateur boxing[, amateur kickboxing,] **and** amateur wrestling [and amateur full-contact karate] must be sanctioned by a nationally recognized amateur sanctioning body approved by the office.

317.013. 1. In order to protect the health and welfare of the contestants, there shall be a mandatory medical suspension of any contestant, not to exceed one hundred eighty days, who loses consciousness or who has been injured as a result of blows received to the head or body during a professional boxing, professional wrestling, professional kickboxing, [or], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contest. The determination of consciousness is to be made only by a physician licensed by the board of healing arts and the division. Medical suspensions issued in accordance with this section shall not be reviewable by any tribunal.

2. No license shall be issued to any person who has been injured in such a manner that they may not continue to participate in boxing, wrestling, kickboxing, [or], full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests in the future. Such a person shall be deemed medically retired. No person with a status of medically retired shall compete in any events governed by this chapter. Medical retirements issued in accordance with this section shall not be reviewable by any tribunal.

317.014. 1. Upon proper application by the director, or the director of the office, a court of competent jurisdiction may grant an injunction, restraining order or any other order as may be appropriate to enjoin a person, partnership, organization, corporation, limited liability company or association from:

(1) Promoting or offering to promote any professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests [in Missouri] **that are not approved by the Missouri office of**

athletics;

(2) Advertising or offering to advertise any professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests [in Missouri] **that are not approved by the Missouri office of athletics;**

(3) Conducting or offering to conduct any professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests [in Missouri] **that are not approved by the Missouri office of athletics;** or

(4) Competing or offering to compete in any professional boxing, sparring, professional wrestling, professional kickboxing [and], professional full-contact karate, **professional mixed martial arts, or amateur mixed martial arts** contests [in Missouri] **that are not approved by the Missouri office of athletics.**

2. Any such actions shall be commenced either in the county in which such conduct occurred or in the county in which the defendant resides.

3. Any action brought under this section shall be in addition to, and not in lieu of, any penalty provided by law and may be brought concurrently with other actions to enforce this chapter.

317.017. 1. In any professional or amateur event the division regulates, no person shall be allowed to participate if such person is not eighteen years of age or older on or before the day the individual is scheduled to participate in the event.

2. Before the office issues a promoter's license, the promoter shall provide the office a surety bond in the amount of twenty-five thousand dollars or an irrevocable letter of credit in the amount of at least twenty-five thousand dollars from a lending institution approved to do business in the United States to guarantee payment of all state athletic taxes and fees to the state. The surety bond shall cover all expenses of the contestants and officials in the event of default by the promoter. The irrevocable letter of credit shall only be released upon written approval by the office. An additional bond or irrevocable letter of credit may be required in the amount specified by the office when it may be reasonably expected that the twenty-five thousand dollar bond or irrevocable letter of credit will not provide sufficient protection to the state. It shall be the duty of each promoter to maintain all required bonds on a current status.

3. There shall be a prohibition of all elbow strikes to the head of an opponent during an amateur mixed martial arts bout.

4. For the first five sanctioned amateur bouts, there shall be a prohibition of knee strikes to the head of an opponent during an amateur mixed martial arts contests. However, after the fifth sanctioned bout for both contestants, both contestants may mutually agree to allow knee strikes during a bout.

317.019. 1. The promoter of a professional boxing, professional kickboxing, [and], professional full-contact karate, professional mixed martial arts, and amateur mixed martial arts contest shall sign written bout contracts with each professional contestant. Original bout contracts shall be filed with the division prior to the event as required by the rules of the office. The bout contract shall be on a form

supplied by the division and contain at least the following:

- (1) The weight required of the contestant at weigh-in;
- (2) The amount of the purse to be paid for the contest, **except amateur mixed martial arts contests;**
- (3) The date and location of the contest;
- (4) The glove size allotted for each contestant;
- (5) Any other payment or consideration provided to the contestant, **except amateur mixed martial arts contests;**
- (6) List of all fees, charges, and expenses including training expenses that will be assessed to the contestant or deducted from the contestant's purse, **except amateur mixed martial arts contests;**
- (7) Any advances paid to the contestant before the bout, **except amateur mixed martial arts contests;**
- (8) The amount of any compensation or consideration that a promoter has contracted to receive in connection with the bout or contest, **except amateur mixed martial arts contests;**
- (9) The signature of the promoter and contestant;
- (10) The date signed by both the promoter and the contestant; and
- (11) Any information required by the office.

2. If the bout contract between a contestant and promoter is changed, the promoter shall provide the division with the amended contract containing all contract changes at least two hours prior to the event's scheduled start time. The amended contract shall comply with all requirements for original bout contracts and shall contain the signature of the promoter and contestant.

3. A promoter of an event shall not be a manager for a contestant who is contracted for ten rounds or more at the event.

4. The promoter of an event shall provide payments for the event official's fees to the office prior to the start of the event. The form of payment shall be at the discretion of the office provided that payments remitted by check or money order shall be made payable directly to the applicable official."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 4

Amend House Committee Substitute for Senate Bill No. 125, Page 68, Section 336.080, Line 16, by inserting after all of said section and line the following:

"337.010. As used in sections 337.010 to 337.090 the following terms mean:

- (1) "Committee", the state committee of psychologists;
- (2) "Department", the department of insurance, financial institutions and professional registration;
- (3) "Division", the division of professional registration;
- (4) "**Internship**", any supervised hours that occur during a formal internship of twelve to twenty-four months after all academic course work toward a doctorate has been completed but prior to completion of the full degree. Internship is part of successful completion of a doctorate in psychology, and a person cannot earn his or her doctorate without completion of an internship;

(5) “Licensed psychologist”, any person who offers to render psychological services to individuals, groups, organizations, institutions, corporations, schools, government agencies or the general public for a fee, monetary or otherwise, implying that such person is trained, experienced and licensed to practice psychology and who holds a current and valid, whether temporary, provisional or permanent, license in this state to practice psychology;

(6) “Postdoctoral experiences”, experiences that follow the completion of a person’s doctoral degree. Such person shall not be licensed until he or she satisfies additional supervised hours. Postdoctoral experiences shall include any supervised clinical activities following the completion of the doctoral degree;

(7) “Predoctoral postinternship”, any supervised hours that occur following completion of the internship but prior to completing the degree. Such person may continue to provide supervised clinical services even after his or her internship is completed and while still completing his or her doctoral degree requirements;

(8) “Preinternship”, any supervised hours acquired as a student or in the course of seeking a doctorate in psychology but before the internship, which includes supervised practicum;

[(5)] (9) “Provisional licensed psychologist”, any person who is a graduate of a recognized educational institution with a doctoral degree in psychology as defined in section 337.025, and who otherwise meets all requirements to become a licensed psychologist except for passage of the licensing exams, oral examination and completion of the required period of postdegree supervised experience as specified in subsection 2 of section 337.025;

[(6)] (10) “Recognized educational institution”:

(a) A school, college, university or other institution of higher learning in the United States, which, at the time the applicant was enrolled and graduated, had a graduate program in psychology and was accredited by one of the regional accrediting associations approved by the Council on Postsecondary Accreditation; or

(b) A school, college, university or other institution of higher learning outside the United States, which, at the time the applicant was enrolled and graduated, had a graduate program in psychology and maintained a standard of training substantially equivalent to the standards of training of those programs accredited by one of the regional accrediting associations approved by the Council of Postsecondary Accreditation;

[(7)] (11) “Temporary license”, a license which is issued to a person licensed as a psychologist in another jurisdiction, who has applied for licensure in this state either by reciprocity or endorsement of the score from the Examination for Professional Practice in Psychology, and who is awaiting either a final determination by the committee relative to such person’s eligibility for licensure or who is awaiting the results of the jurisprudence examination or oral examination.

337.025. 1. The provisions of this section shall govern the education and experience requirements for initial licensure as a psychologist for the following persons:

(1) A person who has not matriculated in a graduate degree program which is primarily psychological in nature on or before August 28, 1990; and

(2) A person who is matriculated after August 28, 1990, in a graduate degree program designed to train professional psychologists.

2. Each applicant shall submit satisfactory evidence to the committee that the applicant has received a doctoral degree in psychology from a recognized educational institution, and has had at least one year of satisfactory supervised professional experience in the field of psychology.

3. A doctoral degree in psychology is defined as:

(1) A program accredited, or provisionally accredited, by the American Psychological Association **or the Canadian Psychological Association**; or

(2) A program designated or approved, including provisional approval, by the [American] Association of State **and Provincial** Psychology Boards or the Council for the National Register of Health Service Providers in Psychology, or both; or

(3) A graduate program that meets all of the following criteria:

(a) The program, wherever it may be administratively housed, shall be clearly identified and labeled as a psychology program. Such a program shall specify in pertinent institutional catalogues and brochures its intent to educate and train professional psychologists;

(b) The psychology program shall stand as a recognizable, coherent organizational entity within the institution of higher education;

(c) There shall be a clear authority and primary responsibility for the core and specialty areas whether or not the program cuts across administrative lines;

(d) The program shall be an integrated, organized, sequence of study;

(e) There shall be an identifiable psychology faculty and a psychologist responsible for the program;

(f) The program shall have an identifiable body of students who are matriculated in that program for a degree;

(g) The program shall include a supervised practicum, internship, field, or laboratory training appropriate to the practice of psychology;

(h) The curriculum shall encompass a minimum of three academic years of full-time graduate study, with a minimum of one year's residency at the educational institution granting the doctoral degree; and

(i) Require the completion by the applicant of a core program in psychology which shall be met by the completion and award of at least one three-semester-hour graduate credit course or a combination of graduate credit courses totaling three semester hours or five quarter hours in each of the following areas:

a. The biological bases of behavior such as courses in: physiological psychology, comparative psychology, neuropsychology, sensation and perception, psychopharmacology;

b. The cognitive-affective bases of behavior such as courses in: learning, thinking, motivation, emotion, and cognitive psychology;

c. The social bases of behavior such as courses in: social psychology, group processes/dynamics, interpersonal relationships, and organizational and systems theory;

d. Individual differences such as courses in: personality theory, human development, abnormal psychology, developmental psychology, child psychology, adolescent psychology, psychology of aging, and theories of personality;

e. The scientific methods and procedures of understanding, predicting and influencing human behavior such as courses in: statistics, experimental design, psychometrics, individual testing, group testing, and research design and methodology.

4. Acceptable supervised professional experience **may be accrued through preinternship, internship, predoctoral postinternship, or postdoctoral experiences. The academic training director or the postdoctoral training supervisor shall attest to the hours accrued to meet the requirements of this section. Such hours** shall consist of:

(1) A minimum of fifteen hundred hours of [professional] experience [obtained] **in a successfully completed internship to be completed** in not less than twelve nor more than twenty-four [consecutive calendar] months; and

(2) A minimum of two thousand hours of experience consisting of any combination of the following:

(a) Preinternship and predoctoral postinternship professional experience that occurs following the completion of the first year of the doctoral program or at any time while in a doctoral program after completion of a master's degree in psychology or equivalent as defined by rule by the committee;

(b) Up to seven hundred fifty hours obtained while on the internship under subdivision (1) of this subsection but beyond the fifteen hundred hours identified in subdivision (1) of this subsection; or

(c) Postdoctoral professional experience obtained in no more than twenty-four consecutive calendar months. In no case shall this experience be accumulated at a rate of [less than twenty hours per week nor] more than fifty hours per week. Postdoctoral supervised professional experience for prospective health service providers **and other applicants** shall involve and relate to the delivery of psychological [health] services[. Postdoctoral supervised professional experience for other applicants shall be] in accordance with professional requirements and relevant to the applicant's intended area of practice.

5. [Postdoctoral] Experience for those applicants who intend to seek health service provider certification and who have completed a program in one or more of the American Psychological Association designated health service provider delivery areas shall be obtained under the primary supervision of a licensed psychologist who is also a health service provider or who otherwise meets the requirements for health service provider certification. [Postdoctoral] Experience for those applicants who do not intend to seek health service provider certification shall be obtained under the primary supervision of a licensed psychologist or such other qualified mental health professional approved by the committee.

6. **For postinternship and postdoctoral hours**, the psychological activities of the applicant shall be performed pursuant to the primary supervisor's order, control, and full professional responsibility. The primary supervisor shall maintain a continuing relationship with the applicant and shall meet with the applicant a minimum of one hour per month in face-to-face individual supervision. Clinical supervision may be delegated by the primary supervisor to one or more secondary supervisors who are qualified psychologists. The secondary supervisors shall retain order, control, and full professional responsibility for the applicant's clinical work under their supervision and shall meet with the applicant a minimum of one hour per week in face-to-face individual supervision. If the primary supervisor is also the clinical supervisor, meetings shall be a minimum of one hour per week. Group supervision shall not be acceptable for supervised professional experience. The primary supervisor shall certify to the committee that the applicant has complied with these requirements and that the applicant has demonstrated ethical and competent

practice of psychology. The changing by an agency of the primary supervisor during the course of the supervised experience shall not invalidate the supervised experience.

7. The committee by rule shall provide procedures for exceptions and variances from the requirements for once a week face-to-face supervision due to vacations, illness, pregnancy, and other good causes.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 34**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 34**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 139**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 139**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SS** for **SCS** for **SB 16**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 329**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 108**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 229**.

With House Substitute Amendment No. 1 for House Amendment No. 1.

HOUSE SUBSTITUTE AMENDMENT NO. 1 FOR
HOUSE AMENDMENT NO. 1

Amend Senate Committee Substitute for Senate Bill No. 229, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following:

“to health care.”; and

Further amend said bill. 229, Page 1, Section A, Line 2, by inserting immediately after said line the following:

“208.1050. 1. As used in this section, the following terms mean:

(1) **“Excess revenue”, the total amount of net general revenue collections collected in the fiscal year beginning July 1, 2016, and ending June 30, 2017 that is in excess of nine billion ninety seven million three hundred thousand dollars and is not more than thirty five million three hundred forty-five thousand two hundred fifteen dollars;**

(2) **“Net general revenue collections”, revenue collected and required by any section except this section to be deposited into the general revenue fund less any refunds and less transfers to the general revenue fund;**

2. There is hereby created in the state treasury the “Missouri Senior Services Protection Fund”, which shall consist of money collected under subsection **subsections [2] 3 and 4** of this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund, and, upon appropriation, [money] **moneys** in the fund shall be used solely for the administration of subsection **subsections [2] 3 and 4** of this section. **Moneys in the fund shall be allocated for services for low-income seniors and people with disabilities.** Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the **general revenue** fund.

[2.] **3. Notwithstanding any other law to the contrary**, the state treasurer shall deposit [from moneys that otherwise would have been deposited into the general revenue fund an amount equal to fifty-five million one hundred thousand dollars] **an amount equal to the excess revenue that otherwise would have been deposited into the general revenue fund** into the Missouri senior services protection fund[. At least one-quarter of such amount shall be deposited on or before July 15, 2013, an additional one-quarter by October 15, 2013, and an additional one-quarter by January 15, 2014. The remaining amount shall be deposited by March 15, 2014] **by October 1, 2017**. Moneys in the fund shall be allocated for services for low-income seniors and people with disabilities. **, provided that under no circumstance shall the state treasurer deposit more than thirty five million three hundred forty five thousand two hundred fifteen dollars that otherwise would have been deposited into the general revenue fund into the Missouri senior services protection fund for the period beginning July 1, 2017 and ending October 1, 2017.**

4. **Notwithstanding any other law to the contrary, if the governor determines that general revenue collections for the fiscal years beginning July 1, 2016 and ending June 30, 2018 exceed the amount necessary to balance revenues and expenditures to and from the general revenue fund and issues a proclamation stating the amount of the surplus, the state treasurer may then deposit such amount, up to thirty five million three hundred forty five thousand two hundred fifteen dollars, that otherwise would have been deposited into the general revenue fund into the Missouri senior services protection fund by October 1, 2017, provided that under no circumstance shall the state treasurer deposit more than thirty five million three hundred forty five thousand two hundred fifteen dollars that otherwise would have been deposited into the general revenue fund into the Missouri senior services protection**

fund for the period beginning July 1, 2017 and ending October 1, 2017.

5. Notwithstanding any other provision of law to the contrary, the governor may include, in a supplemental budget request for the 2018 fiscal year, recommendations of transfers to the general revenue fund from unexpended balances of fees, funds, and moneys received from whatever source by any department, board, bureau, commission, institution, official, or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, except not from:

(1) The senior services protection fund;

(2) Any moneys received and to be disbursed by the state on behalf of a county, city, town, or village;

(3) Any unexpended balance as may remain in any fund authorized and collected under the provisions of the Constitution of Missouri;

(4) Any moneys dedicated to the payment of interest and principal of any bonded indebtedness;

(5) Any fund created in order to receive and disburse federal funds;

(6) Any fund used to fund elementary and secondary education under section 163.031;

(7) Any fund for which at least seventy percent of moneys are derived from an appropriation of general revenue;

(8) Any fund created under section 190.818, 198.418, 208.465, or 338.535; and

(9) Any fund created under chapters 324 to 346.

6. The provisions of subsections 2, 3, and 4 of this section shall expire on July 1, 2018.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted SS, as amended for HCS for **HB 452** and has taken up and passed SS for HCS for **HB 452**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted SS for SCS for HCS for **HB 115** and has taken up and passed SS for SCS for HCS for **HB 115**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted SS#2 for HCS for **HBs 1194 & 1193** and has taken up and passed SS#2 for HCS for **HBs 1194 & 1193**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **SS** for **HCB 3** and has taken up and passed **SS** for **HCB 3**.

Emergency clause defeated.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 501**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 501**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 8**, as amended, and has taken up and passed **CCS** for **SB 8**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 283**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 283**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 225**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 225**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 222**, as amended, and has taken up and passed **CCS** for **SB 222**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SCS** for **SB 421**, as amended, and has taken up and passed **CCS** for **HCS** for **SCS** for **SB 421**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SB 503**, as amended, and has taken up and passed **CCS** for **SB 503**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SS** for **SB 35**, as amended, and has taken up and passed **CCS** for **HCS** for **SS** for **SB 35**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report #2 on **HCS** for **SCS** for **SB 112**, as amended, and has taken up and passed **CCS#2** for **HCS** for **SCS** for **SB 112**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **HCS** for **SB 95**, as amended, and has taken up and passed **CCS** for **HCS** for **SB 95**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted the Conference Committee Report on **SCS#2** for **SB 128**, as amended, and has taken up and passed **CCS** for **SCS#2** for **SB 128**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 52**.

Emergency clause adopted.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCS** for **SB 88**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 376**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 26**.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SB 65**.

Bill ordered enrolled.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **SCR 4**.

Concurrent resolution ordered enrolled.

RESOLUTIONS

Senator Hegeman offered Senate Resolution No. 1019, regarding the Fiftieth Wedding Anniversary of Gerald and Martha Link, Huntsville, which was adopted.

Senator Hegeman offered Senate Resolution No. 1020, regarding the Seventieth Wedding Anniversary of Eldon and Dorothy Mitchell, Savannah, which was adopted.

Senator Hegeman offered Senate Resolution No. 1021, regarding the Sixty-fifth Wedding Anniversary of Martin and Janice Wiederholt, Maryville, which was adopted.

Senator Sater offered Senate Resolution No. 1022, regarding the Presley family, Branson, which was adopted.

Senator Sater offered Senate Resolution No. 1023, regarding the Fortieth Wedding Anniversary of Allen and Dortha Brooks, Washburn, which was adopted.

Senator Sater offered Senate Resolution No. 1024, regarding Isaiah Smith, Lampe, which was adopted.

Senator Wasson offered Senate Resolution No. 1025, regarding Marvin D. Cooksey, Strafford, which was adopted.

Senator Wasson offered Senate Resolution No. 1026, regarding Lynne McNeese, Springfield, which was adopted.

INTRODUCTION OF GUESTS

Senator Rowden introduced to the Senate, the Physician of the Day, Dr. Jerry Kennett, Columbia.

Senator Kehoe introduced to the Senate, Reagan Cain, Centertown.

On motion of Senator Kehoe, the Senate adjourned until 11:00 a.m., Monday, May 22, 2017.

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Journal of the Senate

FIRST REGULAR SESSION

SEVENTY-SECOND DAY—MONDAY, MAY 22, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

RESOLUTIONS

On behalf of Senator Romine, Senator Kehoe offered Senate Resolution No. 1027, regarding Gary Lynn Harris, Fredericktown, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 1028, regarding Web-Co Custom Industries, Incorporated, Marshfield, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 1029, regarding the Sixtieth Wedding Anniversary of Glenn and Jane Griffith, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 1030, regarding the Seventy-fifth Wedding Anniversary of Sidney and Mary Ruth Wood, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 1031, regarding the Fiftieth Wedding Anniversary of Richard and Dorothy Shively, Monroe City, which was adopted.

On behalf of Senator Schupp, Senator Kehoe offered Senate Resolution No. 1032, regarding Barry L. Glantz, Creve Coeur, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 1033, regarding Kevin Eulinger, Hawk Point, which was adopted.

On behalf of Senator Schupp, Senator Kehoe offered Senate Resolution No. 1034, regarding Richard Louis “Dick” Waddington, St. Louis, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 1035, regarding Eagle Scout Carson Schutter, Parkville, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 1036, regarding Eagle Scout Landon Daniel Beyer, Parkville, which was adopted.

On behalf of Senator Curls, Senator Kehoe offered Senate Resolution No. 1037, regarding Sheryl Lynette Branch-Maxwell, which was adopted.

On behalf of Senator Nasheed, Senator Kehoe offered Senate Resolution No. 1038, regarding the 2017 graduating class of Innovative Concept Academy, St. Louis, which was adopted.

On behalf of Senator Nasheed, Senator Kehoe offered Senate Resolution No. 1039, regarding Mallinckrodt Pharmaceuticals, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1040, regarding the Fiftieth Wedding Anniversary of Jim and Carole Paxton, Savannah, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 1041, regarding the Sixtieth Wedding Anniversary of Vic and Marcialea Graybill, Tarkio, which was adopted.

On behalf of Senator Silvey, Senator Kehoe offered Senate Resolution No. 1042, regarding Eagle Scout Tanner Cook, Liberty, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following reports:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which were referred **CCS for SB 8; SS for SCS for SB 16; SS for SB 31; CCS for HCS for SS for SB 34; CCS for HCS for SS for SB 35; SS#2 for SCS for SB 43; SS for SCS for SB 49; CCS for SB 50; SCS for SB 52; CCS for HCS for SS for SB 62; CCS for SB 64; SB 65; HCS for SS for SCS for SB 66; SCS for SB 88; CCS for HCS for SB 95; SCS for SB 108; CCS for HCS for SB 111; CCS#2 for HCS for SCS for SB 112; CCS for SCS#2 for SB 128; CCS for HCS for SCS for SB 139; HCS for SCS for SB 161; CCS for SB 222; CCS for HCS for SB 225; SCS for SB 240; SB 248; SCS for SB 279; CCS for HCS for SB 283; SCS for SB 322; SB 329; SB 376; SB 395; CCS for HCS for SCS for SB 421; CCS for HCS for SB 501 and CCS for SB 503**, begs leave to report that it has examined the same and finds that the bills have been duly enrolled and that the printed copies furnished the Senators are correct.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **CCS for SB 8; SS for SCS for SB 16; SS for SB 31; CCS for HCS for SS for SB 34; CCS for HCS for SS for SB 35; SS#2 for SCS for SB 43; SS for SCS for SB 49; CCS for SB 50; SCS for SB 52; CCS for HCS for SS for SB 62; CCS for SB 64; SB 65; HCS for SS for SCS for SB 66; SCS for SB 88; CCS for HCS for SB 95; SCS for SB 108; CCS for HCS for SB 111; CCS#2 for HCS for SCS for SB 112; CCS for SCS#2 for SB 128; CCS for HCS for SCS for SB 139; HCS for SCS for SB 161; CCS for SB 222; CCS for HCS for SB 225; SCS for SB 240; SB 248; SCS for SB 279; CCS for HCS for SB 283; SCS for SB 322; SB 329; SB 376; SB 395; CCS for HCS for SCS for SB 421; CCS for HCS for SB 501 and CCS for SB 503**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

SIGNING OF CONCURRENT RESOLUTIONS

The President Pro Tem announced that all other business would be suspended and **SCR 4**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, be signed to the end that it shall have the full force and effect of law. No objections being made, the concurrent resolution was read by the Secretary and signed by the President Pro Tem.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS for HCR 19; SS for HCB 3; HCS for HB 1; CCS for SCS for HCS for HB 2; CCS for SCS for HCS for HB 3; CCS for SCS for HCS for HB 4; CCS for SCS for HCS for HB 5; CCS for SCS for HCS for HB 6; CCS for SCS for HCS for HB 7; CCS for SCS for HCS for HB 8; CCS for SCS for HCS for HB 9; CCS for SCS for HCS for HB 10; CCS for SCS for HCS for HB 11; CCS for SCS for HCS for HB 12; SCS for HCS for HB 13; CCS for SCS for HCS for HB 17; SCS for HCS for HB 18; SCS for HCS for HB 50; SCS for HB 51; SS for SCS for HB 93; SS for SCS for HCS for HB 115; HCS for HBs 190 & 208; SS for SCS for HCS for HB 292; HB 336; SS for SCS for HCS for HBs 339 & 714; HCS for HB 451; SS for HCS for HB 452 and HB 850**, having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bills would be signed by the President Pro Tem to the end that they may become law. No objections being made, the bills were so read by the Secretary and signed by the President Pro Tem.

OBJECTIONS

Senators Emery, Eigel and Kraus submitted the following:

Ron Richard
President Pro Tem
Missouri State Senate
Room 326
Jefferson City, MO 65102

Dear Mr. President:

We hereby submit this objection to the signing of House Bill 151 pursuant to Article III, Section 30 of the Constitution of Missouri. Please print this letter in the Senate Journal and we ask that this objection accompany the bill when delivered to the Governor for signing.

This act runs contrary to the constitutional protections guaranteed in the Missouri and United States constitutions, and for this reason should not become the law of this state.

Article I, section 4 of the Missouri Constitution clearly states that Missouri is a free and independent state subject only to the United States Constitution. Additionally, the Tenth Amendment to the United States Constitution clearly states that powers not granted to the federal government are reserved for the States or the people. Nowhere in the United States Constitution is there a grant of authority to condition citizens' rights on participation in an identity database or to dictate standards for state-issued identification. In fact, quite the opposite is true, Article IV, Section 1 of the United States Constitution guarantees states the right that their acts, records, and proceedings shall be given full faith and credit by every other state in the union.

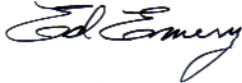
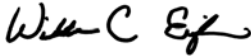
Provisions in the federal REAL ID Act of 2005 place an unnecessary burden on the right to petition one's government for redress of grievances under the First Amendment to the United States Constitution, freedom of movement throughout the United States under Substantive Due Process, and threaten the continued free exercise of our other constitutional rights. Access to federal courthouses and military bases are already denied to persons without access to REAL ID compliant identification, and due to the sheer size of our country, certain states and lands otherwise held by the United States are all but impossible for citizens of average means to reach without use of a federally-regulated airline flight. For a law burdening fundamental rights such as these to be constitutional, the government action undertaken must be necessary to further a compelling government interest. The REAL ID Act of 2005 intrudes on citizens' privacy beyond what is truly necessary to ensure aircraft and courthouse safety and security, and for that reason we must resist implementing it in our state system of identification.

Although the federal government has been granted the authority to regulate interstate commerce, such authority is not without limits. The federal government exceeds its constitutional authority when it attempts to commandeer or improperly coerce a state or states, or when it places an undue burden on the free exercise of the rights endowed to us by our creator. Reliance on the bare assertion that an action implicates interstate commerce and thus is appropriate for unbridled federal regulation does violence to the notion that we live in a free and independent state and sets a dangerous precedent with regard to federal overreach. Such a dismissive viewpoint disregards the existence of the Tenth Amendment and the discrete list of federal powers enumerated in Article I, Section 8 of the United States Constitution. Implementation of federal standards for identification issued by the several states directly infringes the rights of Missourians, and poses a threat to the full faith and credit that is already owed to state-issued identification irrespective of federal approval. It takes no imagination to envision that REAL ID compliant identification, and thus participation in a federally-approved database, will subsequently be required for exercise of other constitutional rights.

Our state cannot be complicit in allowing regulation of interstate commerce to extend to infringement of constitutional rights. Free exercise of the rights endowed to us by our creator cannot and shall not be subjugated to the discretion or approval of the federal government. Free exercise of the rights endowed to us by our creator does not mean free exercise conditioned on participation in a federally-approved identification program.

Because this proposed legislation poses a threat to the free exercise of constitutional rights that none but our creator is entitled to infringe, we ask the Governor to act for the good of the people of Missouri and veto House Bill 151.

Sincerely,


Senator Sifton submitted the following:

May 22, 2017

Adriane Crouse – Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65101

RE: Objection to the signing of SS#2/HCS/HB 1194 & 1193 by the President Pro-Tem

Dear Ms. Crouse:

Pursuant to the provisions Article III, § 30 of the Missouri Constitution and Senate Rule 68, please consider this correspondence as my objection to the signing of SS#2/HCS/HB 1194 & 1193 by the President Pro-Tem. In accordance with these provisions, please print this correspondence in the Senate Journal and annex it to the legislation to be considered by the Governor.

The legislation referenced above was 3d read in the Senate on the final day of session. Numerous procedural irregularities call into question whether it was validly adopted and thus whether it can therefore become law. The points raised below are supported by a review of the audio recordings of the proceedings.

During the proceedings on the final day, Senator Onder raised a point of order that the substitute motions that I was attempting to offer were out of order under Senate Rule 73. Senator Richard was then recognized by the presiding officer – while Senator Schaaf had possession of the floor – and ruled on the point of order. Senator Schaaf then appealed the ruling on the point of order. Pursuant to Senate Rule 10, rulings on points of order are subject to an appeal to the entire Senate. However, no vote or any other action was ever taken on Senator Schaaf's appeal of the ruling on the point of order.

The Senate also violated Rule 76 regarding standing at ease in multiple instances. The rule states, in pertinent part, "When a senator is engaged in debate or discussion and seeks to have the senate stand at ease, the senator must seek unanimous consent of the body."

While Senator Schaaf was speaking on a point of order raised by Senator Schatz, Senator Richard sought the recognition of the presiding officer – again despite Senator Schaaf having possession of the floor at that time. When asked by the presiding officer for what purpose he rose, Senator Richard replied "to stand at ease for five minutes to rule on the point of order." Both Senators Schaaf and Nasheed are heard on the audio to object to the Senate standing at ease. The presiding officer nevertheless put the Senate at ease.

Senator Richard was not engaged in debate or discussion and was therefore ineligible to ask the Senate to stand at ease. In addition, the request did not have the unanimous consent of the body as Senators Schaaf and Nasheed immediately objected. Finally, after the Senate had been at ease for well over five minutes, Senator Walsh sought recognition and pointed out that Rule 76 required unanimous consent, that she no longer gave it, and moved to adjourn. Senator Onder, who was then presiding, refused to recognize her in violation of Senate Rules.

The final procedural irregularity that I wish to address is that the third read motion on the bill was never properly put before the body. Rule 87 requires that when a motion is made it must be stated by the chair or, if the motion is written, it must be read by the secretary. Rule 88 provides that after the motion is stated by the chair, then it is before the body.

Immediately after the vote was taken to adopt Senate Substitute Number 2 of the bill, the presiding officer announced, "we are on the 3rd reading of HB 1194 and 1193." However, the Senate was not yet on that motion as Senator Hegeman had not yet made it. Senator Hegeman

initially moved the previous question despite the fact that he had not yet made the third read motion. Then, in recognition of the fact that the third read motion was not yet before the body, he withdrew the motion for the previous question and made the 3rd read motion. He then immediately moved for the call of the previous question on the third read motion. Following those actions, at no time was the 3rd read motion ever repeated by the chair. It also was neither written nor read.

As the third read motion was never stated by the presiding officer or read by the secretary, it was never before the body. The purported vote on the third read motion was a nullity that under Senate rules never occurred. The alleged passage of the bill violated Article III, § 21 of the Missouri Constitution insofar as it was never validly third read in the Senate.

Article III, § 21 of the Missouri Constitution grants the Senate the authority to determine the rules of its proceedings. Incumbent with this grant of authority is that the Senate actually follow its own rules. The Missouri Supreme Court has recognized that even the Lieutenant Governor – who is in a different branch of government – is required to follow the rules of the Senate when presiding over it. *State ex rel Danforth v. Cason*, 507 S.W.2d 405, 413-414 (Mo. 1974). Because of the Senate’s failure to follow its own rules – and particularly because the third read motion on the bill was never validly made – the bill’s adoption violates the Missouri Constitution and cannot be signed.

Sincerely,



SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **SS No. 2 for HCS for HB 151** and **SS No. 2 for HCS for HBs 1194 & 1193**, having passed both branches of the General Assembly, would be read at length by the Secretary and signed by the President Pro Tem to the end that they may become law. The bills were so read by the Secretary and signed by the President Pro Tem.

BILLS DELIVERED TO THE GOVERNOR

CCS for SB 8; SS for SCS for SB 16; SS for SB 31; CCS for HCS for SS for SB 34; CCS for HCS for SS for SB 35; SS#2 for SCS for SB 43; SS for SCS for SB 49; CCS for SB 50; SCS for SB 52; CCS for HCS for SS for SB 62; CCS for SB 64; SB 65; HCS for SS for SCS for SB 66; SCS for SB 88; CCS for HCS for SB 95; SCS for SB 108; CCS for HCS for SB 111; CCS#2 for HCS for SCS for SB 112; CCS for SCS#2 for SB 128; CCS for HCS for SCS for SB 139; HCS for SCS for SB 161; CCS for SB 222; CCS for HCS for SB 225; SCS for SB 240; SB 248; SCS for SB 279; CCS for HCS for SB 283; SCS for SB 322; SB 329; SB 376; SB 395; CCS for HCS for SCS for SB 421; CCS for HCS for SB 501 and CCS for SB 503, after having been duly signed by the Speaker of the House of Representatives in open session, were delivered to the Governor by the Secretary of the Senate.

On motion of Senator Kehoe, the Senate adjourned pursuant to the Constitution.

MICHAEL L. PARSON
Lieutenant Governor

ADRIANE D. CROUSE
Secretary of the Senate

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JOURNAL OF THE SENATE
NINETY-NINTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST EXTRA SESSION
OF THE
FIRST REGULAR SESSION

FIRST DAY—MONDAY, MAY 22, 2017

The Senate was called to order in Extra Session by Lieutenant Governor Mike Parson.

Senator Rowden offered the following prayer:

Father in Heaven, we thank you for another day of breath, life and hope — the hope that is only found in You.

As we come together today to begin this special session, may we be reminded of the burden of responsibility that is upon us. To make decisions that are in the best interest of this state and its citizens. And to treat each other with respect and civility as we deliberate on these decisions.

Today, we seek after the wisdom sought by King Solomon in Scripture. To have the insight to discern right from wrong and the foresight to see how decisions today impact realities tomorrow.

May we approach the business of these next days without a trace of pride or vengeance, because You have told us in the Proverbs that: “When pride comes, then comes disgrace. But with humility, comes wisdom.”

Give us patience, humility and wisdom as we do the work before us. This is our prayer. AMEN.

The Pledge of Allegiance to the Flag was recited.

**COMMUNICATIONS FROM THE
GOVERNOR**

The President laid before the Senate the following proclamation from the Governor, reading of which was waived:

PROCLAMATION

WHEREAS, the people of Missouri deserve more quality jobs; and

WHEREAS, the State of Missouri has a skilled workforce able to manufacture materials and products sold around the world; and

WHEREAS, government should not prevent businesses from coming and growing here; and

WHEREAS, one critical measure not addressed by the 2017 legislative session would have kept Missouri in the running for a steel mill and additional manufacturing jobs; and

WHEREAS, the top priority of Missouri’s elected leaders should be to fight for new jobs for Missourians; and

WHEREAS, in order to compete for new manufacturing jobs, utilities need additional flexibility; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor on extraordinary occasions to convene the General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary; and

WHEREAS, the need to provide the Public Service Commission with flexibility to approve special electricity rates for steel works,

aluminum smelting facilities, or other similar facilities, in order to attract new jobs to Missouri, is an extraordinary occasion envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, ERIC R. GREITENS, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Ninth General Assembly of the State of Missouri in the First Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 4 p.m., Central Daylight Time, on May 22, 2017; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To enact legislation authorizing the Public Service Commission to approve a special electricity rate for an aluminum smelting facility, a steel works facility, or other similar facility that is not based on the electrical corporation's cost of service, provided that the Public Service Commission (1) determines the special electricity rate for the facility is in the interest of the State of Missouri; (2) approves a uniform percentage adjustment in each general rate proceeding; (3) approves a tracking mechanism to track changes in the net margin experienced by the electrical corporation; and (4) approves either a rate schedule reflecting the special electricity rate if the facility is located within the electrical corporation's certificated service territory or a contract reflecting the special electricity rate, but neither the rate schedule nor the contract shall allow the special electricity rate to continue beyond ten years.
2. To enact legislation authorizing the Public Service Commission to allow electrical corporations a reasonable opportunity to earn a fair return, by methods such as rate adjustment mechanisms not otherwise statutorily authorized, which the commission shall lack authority to modify or eliminate during the specified term.
3. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have been convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 18th day of May, 2017.

Eric R. Greitens
Governor

SEAL

Jay Ashcroft
Secretary of State

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Holsman
Hoskins	Hummel	Kehoe	Koenig	Libla	Munzlinger	Onder
Richard	Riddle	Rizzo	Romine	Rowden	Sater	Schaaf
Schatz	Sifton	Silvey	Walsh	Wasson	Wieland—27	

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Hegeman	Kraus	Nasheed	Schupp	Wallingford—6
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Vacancies—1

The Lieutenant Governor was present.

Senator Kehoe announced that photographers from KOMU-8 News, St. Louis Post Dispatch and Columbia Missourian were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Kehoe offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the First Extra Session of the First Regular Session and is ready for consideration of its business.

Senator Kehoe offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, that the rules of the Senate, as adopted by the Ninety-ninth General Assembly, First Regular Session, be declared the rules of the First Extra Session of the First Regular Session.

Senator Romine offered the following resolution:

SENATE RESOLUTION NO. 3

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Third District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, First Extraordinary Session, that Senate Rules 44 and 50 be amended to read as follows:

“Rule 44. Beginning on July first of each year, members and members-elect may deposit bills and joint resolutions for the next regular session with the secretary of the senate at any time. The secretary shall hold the bills and joint resolutions so deposited in the order filed. After the close of business on December first, the secretary shall assign numbers to bills and joint resolutions deposited in that office by seniority of the member first signing the measure, with a limit of [three bills or joint resolutions] **one bill or joint resolution** per rotation of the seniority list from the total number of measures deposited. All measures deposited through December first shall stand as pre-filed without further action by the member or member-elect. At the close of business on each day thereafter until the opening day of the session, bills and joint resolutions received during the day shall be assigned numbers in the order in which the bill or joint resolution is filed with the secretary.

Once filed, bills and joint resolutions shall not be changed except to correct patent typographical, clerical or drafting errors that do not involve changes of substance, nor shall substitutions be made therefor. Any bill may be withdrawn but the number shall not be reassigned once a number has been given.

Seniority for the purposes of this rule shall be determined as follows:

- (1) Continuous senate service;
- (2) In the case of equal continuous senate service, majority party members shall have seniority over minority party members;
- (3) In the case of equal continuous senate service by members of the same party, prior non-continuous senate service;
- (4) In the case of equal continuous and prior non-continuous senate service by members of the same party, prior house service;
- (5) In the case of equal continuous and equal prior non-continuous senate service and equal prior house service by members of the same party, seniority shall be determined by the caucus of that party.

Rule 50. Referrals of bills and appointments to committee shall be made by the president pro tem; and no bill shall be considered for final passage unless it has been reported on by a committee and printed for the use of the senators. **Any of the first three senate bills or joint resolutions pre-filed under Senate Rule 44 by a senator that are reported to the senate from committee shall be placed on the calendar under the order of business of “senate bills for perfection” in numerical order above all other bills on that order of business regardless of the day in which the bill was reported to the senate.** A report of all bills recommended “do pass” by a committee shall be submitted to the senate by the chairman and all committee amendments accompanying the report shall be printed in the Journal.

After a bill has been referred to a committee, one-third of the senators elected has the power to relieve a committee of further consideration of a bill and place it on the calendar for consideration. In any case where a committee has been relieved of further consideration of a bill as herein provided, a majority of the senators present but not less than one-third of the senators elected, may, at any time before final passage thereof, again refer the bill to the same or some other committee for consideration. No bill or resolution shall be reported adversely by any committee until the author of the bill or resolution has been given an opportunity to appear and be heard before the committee to which it is referred.

One-third of the senators elected may relieve a committee of an appointment and a motion to grant advice and consent of the Senate to that appointment is then in order upon a vote of the majority of the Senate.”

Senator Schaaf offered the following resolution:

SENATE RESOLUTION NO. 4

Notice of Proposed Rule Change

Notice is hereby given by the Senator from the Thirty-fourth District of the one day notice required by rule of intent to put a motion to adopt the following rule change:

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, First Extraordinary Session, that Senate Rule 10 be amended to read as follows:

“Rule 10. The president pro tem shall be parliamentarian of the senate and may decide all points of order, and in his absence such points of order may be decided by the chairman of the Committee on the Judiciary and Civil and Criminal Jurisprudence, except in either case, the point of order may be referred by the then acting parliamentarian, to the Committee on Parliamentary Procedure for consideration and determination. **No decision on a point of order shall be made until every senator wishing to speak on the point of order has been recognized by the chair and had the opportunity to do so.** All rulings on points of order shall be subject to an appeal to the senate and all questions and points of order shall be noted by the secretary with the decision thereon. (See also Rule 27.)”

INTRODUCTION OF BILLS

The following Bills were read the 1st time and ordered printed:

SB 1—By Wallingford, Emery, Richard, Cunningham, Wasson, Kehoe, Munzlinger, Onder and Curls.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to ratemaking for electrical corporations, with an emergency clause.

SB 2—By Romine and Libla.

An Act to amend chapter 393, RSMo, by adding thereto one new section relating to ratemaking for electrical corporations, with an emergency clause.

SB 3—By Schaaf.

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to lobbyists.

SB 4—By Schaaf.

An Act to repeal section 105.455, RSMo, and to enact in lieu thereof one new section relating to the waiting period before certain public officials can become lobbyists.

SB 5—By Schaaf.

An Act to repeal section 130.041 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session, and to enact in lieu thereof one new section relating to financial disclosure under campaign finance laws.

SB 6—By Emery, Kehoe, Wasson, Onder and Curls.

An Act to amend chapter 393, RSMo, by adding thereto three new sections relating to ratemaking for electrical corporations, with an emergency clause.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

May 22, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 12, I hereby remove Senator Will Kraus from the Committee on Commerce, Consumer Protection, Energy and the Environment and appoint Senator Jay Wasson to the Committee on Commerce, Consumer Protection, Energy and the Environment.

Sincerely,



Ron Richard

President Pro Tem

On motion of Senator Kehoe, the Senate adjourned until 2:00 p.m., Wednesday, May 24, 2017.

SENATE CALENDAR

SECOND DAY—WEDNESDAY, MAY 24, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Wallingford, et al
SB 2-Romine and Libla
SB 3-Schaaf

SB 4-Schaaf
SB 5-Schaaf
SB 6-Emery, et al

INFORMAL CALENDAR

RESOLUTIONS

SR 3-Romine

SR 4-Schaaf

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Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

SECOND DAY—WEDNESDAY, MAY 24, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

RESOLUTIONS

On behalf of Senator Schupp, Senator Kehoe offered Senate Resolution No. 5, regarding Joe Guterrez, which was adopted.

On behalf of Senator Schupp, Senator Kehoe offered Senate Resolution No. 6, regarding Dr. Dana Burns, which was adopted.

On behalf of Senator Hummel, Senator Kehoe offered Senate Resolution No. 7, regarding Thomas Rolla Gilmore, St. Louis, which was adopted.

On behalf of Senator Romine, Senator Kehoe offered Senate Resolution No. 8, regarding John F. Garland, Farmington, which was adopted.

On behalf of Senator Onder, Senator Kehoe offered Senate Resolution No. 9, regarding Earl Joseph Brinkman, O'Fallon, which was adopted.

On behalf of Senator Hummel, Senator Kehoe offered Senate Resolution No. 10, regarding Leo C. Pashos, St. Louis, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 11, regarding Eagle Scout Nathan Riley, Liberty, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 12, regarding the Fiftieth Wedding Anniversary of Bob and Jan Barnes, Savannah, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 13, regarding the Sixtieth Wedding Anniversary of Theodore and Charlene Weter, Kearney, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 14, regarding the Sixtieth

Wedding Anniversary of Jim and Jean Jochim, Rock Port, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 15, regarding the Seventy-fifth Wedding Anniversary of Bob and Jeane Crouse, Mound City, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 16, regarding the Seventy-fifth Wedding Anniversary of Jack and Kathleen Rhoades, Bigelow, which was adopted.

On behalf of Senator Wallingford, Senator Kehoe offered Senate Resolution No. 17, regarding Louis Edward “Lou” Luster, Perryville, which was adopted.

On behalf of Senator Walsh, Senator Kehoe offered Senate Resolution No. 18, regarding Thomas Glennon “Tom” Fitzgerald, Florissant, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, inform the Senate that the House duly convened in the First Extraordinary Session of the First Regular Session on Monday, May 22, 2017, and is convened in full session and ready for consideration of its business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **HB 1**, entitled:

An Act to amend chapter 393, RSMo, by adding thereto two new sections relating to ratemaking for public utilities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the Senate is respectfully requested.

Read 1st time.

Senator Kehoe assumed the Chair.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 1—Commerce, Consumer Protection, Energy and the Environment.

SB 2—Commerce, Consumer Protection, Energy and the Environment.

SB 3—Rules, Joint Rules, Resolutions and Ethics.

SB 4—Rules, Joint Rules, Resolutions and Ethics.

SB 5—Rules, Joint Rules, Resolutions and Ethics.

SB 6—Commerce, Consumer Protection, Energy and the Environment.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

May 24, 2017

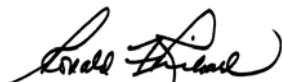
Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to House Concurrent Resolution 47, I hereby appoint the following senators to the 21st Century Missouri Transportation System Task Force:

Senator Dave Schatz
Senator Bill Eigel
Senator Caleb Rowden

Sincerely,



Ron Richard
President Pro Tem

On motion of Senator Kehoe, the Senate adjourned until 11:00 a.m., Thursday, May 25, 2017.

SENATE CALENDAR

THIRD DAY–THURSDAY, MAY 25, 2017

FORMAL CALENDAR

HOUSE BILLS ON SECOND READING

HCS for HB 1

INFORMAL CALENDAR

RESOLUTIONS

SR 3-Romine

SR 4-Schaaf

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Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

THIRD DAY—THURSDAY, MAY 25, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

Senator Emery offered the following prayer:

If any of you lack wisdom, let him ask of God, that giveth to all men liberally, and upbraideth not; and it shall be given him. But let him ask in faith, nothing wavering. For he that wavereth is like a wave of the sea driven with the wind and tossed. For let not that man think that he shall receive any thing of the Lord. A double minded man is unstable in all his ways.

Heavenly Father, I pray, keep us today from double-mindedness and grant us wisdom. I come to You this morning in the name and through the blood of the Lord Jesus Christ, thanking You for breath for life itself. Thank You for the opportunity You have given each of us today to serve You and the citizens of Missouri.

I believe it is with one voice, today that we bring before Your throne the names of all those in uniform whether at home or abroad who serve daily to protect our lives and our freedoms from enemies foreign or domestic.

We plead Your mercies and grace upon those whose lives were taken or violently disrupted this week by the terrorist attack in Manchester, England. Somehow bring divine comfort to survivors and healing to the wounded.

Father, as we go about our constitutional business today, may we be directed by the mind of Christ to seek peace and pursue it in every situation or conversation. Direct every outcome for the benefit of those we serve and for Your glory. I pray in the name of Your son and my Savior, Amen. (James 1:5-8)

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Monday, May 22, 2017 and Wednesday, May 24, 2017 were read and approved.

Senator Kehoe announced photographers from Columbia Daily Tribune, ABC-17, KMIZ and Missourinet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford

Walsh

Wasson

Wieland—31

Absent—Senators—None

Absent with leave—Senators

Kraus

Rizzo—2

Vacancies—1

RESOLUTIONS

Senator Sifton offered Senate Resolution No. 19, regarding Eagle Scout Matthew Francis Sudekum-Whitaker, Webster Groves, which was adopted.

Senator Schupp offered Senate Resolution No. 20, regarding Arthur Eugene “Gene” Henry, St. Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 21, regarding Hymmitt Peter Wong, Saint Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 22, regarding Richard Levon Barnett, Saint Louis, which was adopted.

Senator Koenig offered Senate Resolution No. 23, regarding Warren Bryant Nelson, Des Peres, which was adopted.

Senator Koenig offered Senate Resolution No. 24, regarding Wilford Noel “Wil” Duke, Ballwin, which was adopted.

Senator Holsman offered Senate Resolution No. 25, regarding Eugenia M. “Gina” O’Brien, which was adopted.

Senator Schatz offered Senate Resolution No. 26, regarding Cecil L. Keeler, Ellisville, which was adopted.

Senator Schatz offered Senate Resolution No. 27, regarding Jerome J. “Jerry” Yoffie, Ellisville, which was adopted.

Senator Schatz offered Senate Resolution No. 28, regarding Harvey Murrell Clark, Saint Albans, which was adopted.

Senator Schatz offered Senate Resolution No. 29, regarding the Sixtieth Anniversary of Robert and Lois Mueller, New Haven, which was adopted.

Senator Munzlinger offered Senate Resolution No. 30, regarding Brad Ayers, Macon, which was adopted.

CONCURRENT RESOLUTIONS

Senator Chappelle-Nadal offered the following concurrent resolution:

SENATE CONCURRENT RESOLUTION NO. 1

WHEREAS, seventy years ago the United States government hired St. Louis based company Mallinckrodt Chemical Works to purify uranium for use in nuclear weapons during wartimes; and

WHEREAS, from 1946 until 1957, Mallinckrodt Chemical Works transported and dumped the radioactive chemical waste produced from the uranium purification process at Coldwater Creek near the St. Louis airport; and

WHEREAS, some of the radioactive chemical wastes were later trucked from Coldwater Creek to Latty Avenue in Hazelwood for drying and shipping to Colorado for reprocessing; and

WHEREAS, in 1973, some of the radioactive chemical wastes located on Latty Avenue were transported and illegally dumped in the West Lake Landfill located in Bridgeton, next to Earth City, in the Missouri River floodplain; and

WHEREAS, the West Lake Landfill was not designed to store radioactive chemical waste; and

WHEREAS, the radioactive chemical waste has contaminated land and caused erosion of soil from the West Lake Landfill berm; and

WHEREAS, the radioactive chemical waste poses significant health risks to citizens in the area; and

WHEREAS, in 1990, the Environmental Protection Agency recognized the significant health risks posed to citizens in the area and placed the West Lake Landfill on the Superfund National Priorities List; and

WHEREAS, in 1997, Congress transferred responsibility from the U.S. Department of Energy to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program for land remediation efforts; and

WHEREAS, the West Lake Landfill was not transferred to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program, but remained the responsibility of the Environmental Protection Agency because it had been placed on the Superfund National Priorities List; and

WHEREAS, in 2008, the Environmental Protection Agency issued a Record of Decision stating that the radioactive chemical wastes were to remain in the landfill, with merely a cover of rocks, construction rubble, and clay, and no liner to protect the wastes from groundwater leaching; and

WHEREAS, in 2012, an underground fire was discovered at the West Lake Landfill, and the fire has remained uncontrolled since that time; and

WHEREAS, the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program would be better situated to address the West Lake Landfill remediation efforts given their experience in remediation efforts across St. Louis City and St. Louis County:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-ninth General Assembly, First Extraordinary Session, the House of Representatives concurring therein, hereby request the United States Congress to transfer the authority for the remediation of the West Lake Landfill radioactive chemical wastes from the Environmental Protection Agency to the United States Army Corps of Engineers Formerly Utilized Sites Remedial Action Program; and

BE IT FURTHER RESOLVED that the radioactive chemical wastes be excavated from the Missouri river flood plain and be transported to a licensed radioactive waste facility, away from water and away from people; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Majority and Minority Leaders of the United States Senate and House of Representatives, and each member of the Missouri Congressional delegation.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 7—By Chappelle-Nadal.

An Act to repeal section 441.236, RSMo, and to enact in lieu thereof five new sections relating to contaminated homes, with a penalty provision and an emergency clause.

Senator Rowden assumed the Chair.

HOUSE BILLS ON SECOND READING

The following Bill was read the 2nd time and referred to the Committee indicated:

HCS for HB 1—Commerce, Consumer Protection, Energy and the Environment.

On motion of Senator Kehoe, the Senate recessed until 3:30 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

Senator Kehoe announced photographers from The Missouri Times were given permission to take pictures in the Senate Chamber.

REPORTS OF STANDING COMMITTEES

Senator Silvey, Chairman of the Committee on Commerce, Consumer Protection, Energy and the Environment, submitted the following report:

Mr. President: Your Committee on Commerce, Consumer Protection, Energy and the Environment, to which was referred **HCS** for **HB 1**, begs leave to report that it has considered the same and recommends that the bill do pass.

Senator Rowden assumed the Chair.

REFERRALS

President Pro Tem Richard referred **HCS** for **HB 1** to the Committee on Fiscal Oversight.

RESOLUTIONS

Senator Romine offered Senate Resolution No. 31, regarding Karen Gray, Park Hills, which was adopted.

Senator Romine offered Senate Resolution No. 32, regarding David “Dave” Gray, Park Hills, which was adopted.

Senator Sifton offered Senate Resolution No. 33, regarding Maurice “Maury” Stone, Saint Louis, which was adopted.

Senator Sifton offered Senate Resolution No. 34, regarding Robert Karl “Bob” Kuhlenberg, Saint Louis, which was adopted.

Senator Kehoe offered Senate Resolution No. 35, regarding James Edwin Wilde, Lieutenant Colonel (LTC), Retired, which was adopted.

INTRODUCTION OF GUESTS

Senator Wallingford introduced to the Senate, Ron Randen, Portageville.

Senator Cunningham introduced to the Senate, Melissa and Joanna Schrock, Jewel and Caleb Miller, and William Good, Ozark Mennonite Church.

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Friday, May 26, 2017.

SENATE CALENDAR

FOURTH DAY–FRIDAY, MAY 26, 2017

FORMAL CALENDAR**SECOND READING OF SENATE BILLS**

SB 7-Chappelle-Nadal

HOUSE BILLS ON THIRD READING

HCS for HB 1 (Libla)
(In Fiscal Oversight)

INFORMAL CALENDAR

RESOLUTIONS

SR 3-Romine

SR 4-Schaaf

To be Referred

SCR 1-Chappelle-Nadal

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Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

FOURTH DAY—FRIDAY, MAY 26, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Senator Curls offered the following prayer:

Great and loving God,

We come to You with thanks and gratitude for Your presence, in all of Your grace and mercy, asking You to bless this State; and to ignite in this legislature the desire to make true, the ideas of compassion and brother and sisterhood for all who live within our State lines.

Lord, be close to the Governor and this General Assembly; and remind us that we are made in Your image. Grant us vision and awareness, as we ponder life-impacting decisions which will touch thousands of Missourians.

Lord, make our State great through Your touch. Inspire us to do Your work; show us what is Honorable and true; and look beyond our own personal gains or desires so the common Good may be served.

Lord, we ask all of these things in Your name. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from KRCG-TV and Missourinet were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day's proceedings:

YEAS—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Kraus—1

Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senators Walsh and Hummel offered Senate Resolution No. 36, regarding Thomas E. George, Sr., Florissant, which was adopted.

Senators Walsh and Hummel offered Senate Resolution No. 37, regarding Timothy R. Murray, Wildwood, which was adopted.

Senator Schaaf offered Senate Resolution No. 38, regarding Eagle Scout Kollin Lars Williamson, Platte County, which was adopted.

Senator Richard offered Senate Resolution No. 39, regarding the One Hundredth Anniversary of First Church of God, Granby, which was adopted.

Senator Schupp offered Senate Resolution No. 40, regarding Susan S. Stepleton, Ph.D., St. Louis, which was adopted.

Senator Sater offered Senate Resolution No. 41, regarding the Fiftieth Wedding Anniversary of Mike and Joyce Miles, Washburn, which was adopted.

Senator Sater offered Senate Resolution No. 42, regarding Peter Alumbaugh, which was adopted.

Senator Sater offered Senate Resolution No. 43, regarding Crane High School basketball program, which was adopted.

Senator Sater offered Senate Resolution No. 44, regarding John and Eve Adams, Southwest City, which was adopted.

Senator Sifton offered Senate Resolution No. 45, regarding Larry Felton, Mehlville, which was adopted.

REPORTS OF STANDING COMMITTEES

Senator Cunningham, Chairman of the Committee on Fiscal Oversight, submitted the following report:

Mr. President: Your Committee on Fiscal Oversight, to which was referred **HCS** for **HB 1**, begs leave to report that it has considered the same and recommends that the bill do pass.

REFERRALS

President Pro Tem Richard referred **SCR 1** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

SECOND READING OF SENATE BILLS

The following Bill was read the 2nd time and referred to the Committee indicated:

SB 7—Commerce, Consumer Protection, Energy and the Environment.

HOUSE BILLS ON THIRD READING

HCS for HB 1, entitled:

An Act to amend chapter 393, RSMo, by adding thereto two new sections relating to ratemaking for public utilities, with an emergency clause.

Was taken up by Senator Libla.

Pursuant to Senate Rule 91, Senator Hegeman requested to be excused from voting on all amendments, third reading and the emergency clause on **HCS for HB 1**, which request was granted.

Senator Koenig offered **SA 1**, which was read:

SENATE AMENDMENT NO. 1

Amend House Committee Substitute for House Bill No. 1, Page 1, Section 393.355, Line 12, by striking all of said line and inserting in lieu thereof the following:

“2. Notwithstanding subsection 2 of section 393.130 to the contrary,”.

Senator Koenig moved that the above amendment be adopted.

President Pro Tem Richard assumed the Chair.

President Parson assumed the Chair.

Senator Wallingford requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Eigel, Kehoe, Koenig and Onder.

SA 1 failed of adoption by the following vote:

YEAS—Senators

Dixon	Eigel	Holsman	Hummel	Koenig	Nasheed	Rizzo
Schaaf	Schupp	Sifton	Walsh	Wieland—12		

NAYS—Senators

Brown	Cunningham	Emery	Hoskins	Kehoe	Libla	Munzlinger
Onder	Richard	Riddle	Romine	Rowden	Sater	Schatz
Silvey	Wallingford	Wasson—17				

Absent—Senators

Chappelle-Nadal	Curls—2
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Absent with leave—Senator Kraus—1

Excused from voting—Senator Hegeman—1

Vacancies—1

Senator Eigel offered **SA 2**:

SENATE AMENDMENT NO. 2

Amend House Committee Substitute for House Bill No. 1, Page 1, Section 393.355, Line 14, by inserting immediately after “service” the following: **“but is above the electrical corporation’s incremental cost of providing power”.**

Senator Eigel moved that the above amendment be adopted.

Senator Libla requested a roll call vote be taken on the adoption of **SA 2**. He was joined in his request by Senators Eigel, Romine, Schatz and Schupp.

SA 2 failed of adoption by the following vote:

YEAS—Senators

Eigel	Holsman	Hoskins	Koenig	Rizzo	Schaaf	Schupp
Sifton	Wieland—9					

NAYS—Senators

Brown	Cunningham	Dixon	Emery	Kehoe	Libla	Munzlinger
Onder	Richard	Riddle	Romine	Sater	Schatz	Silvey
Wallingford	Walsh	Wasson—17				

Absent—Senators

Chappelle-Nadal	Curls	Hummel	Nasheed	Rowden—5
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Absent with leave—Senator Kraus—1

Excused from voting—Senator Hegeman—1

Vacancies—1

On motion of Senator Libla, **HCS** for **HB 1** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Holsman	Hoskins	Hummel
Kehoe	Libla	Munzlinger	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—24				

NAYS—Senators

Eigel	Koenig	Nasheed	Schaaf	Schupp—5
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Absent—Senators

Chappelle-Nadal	Curls—2
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Absent with leave—Senator Kraus—1

Excused from voting—Senator Hegeman—1

Vacancies—1

The President declared the bill passed.

The emergency clause was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Emery	Holsman	Hoskins	Hummel
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Kehoe	Libla	Munzlinger	Onder	Richard	Riddle	Rizzo
Romine	Rowden	Sater	Schatz	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—24				

NAYS—Senators

Eigel	Koenig	Nasheed	Schaaf	Schupp—5
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Absent—Senators

Chappelle-Nadal	Curls—2
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Absent with leave—Senator Kraus—1

Excused from voting—Senator Hegeman—1

Vacancies—1

On motion of Senator Libla, title to the bill was agreed to.

Senator Libla moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

INTRODUCTION OF GUESTS

Senator Holsman introduced to the Senate, Dan Dougan and his daughter, Miranda, Lake Ozark; and Miranda was made an honorary page.

Senator Libla introduced to the Senate, his wife, Elaine, Poplar Bluff.

Senator Nasheed introduced to the Senate, LaTanya Reeves, St. Louis.

On motion of Senator Kehoe, the Senate adjourned until 11:30 a.m., Monday, June 5, 2017.

SENATE CALENDAR

FIFTH DAY—MONDAY, JUNE 5, 2017

INFORMAL CALENDAR**RESOLUTIONS**

SR 3-Romine

SR 4-Schaaf

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Journal of the Senate

FIRST REGULAR SESSION

FIRST EXTRA SESSION

FIFTH DAY—MONDAY, JUNE 5, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

RESOLUTIONS

On behalf of Senator Onder, Senator Kehoe offered Senate Resolution No. 46, regarding Michael T. Force, Lake Saint Louis, which was adopted.

On behalf of Senator Libla, Senator Kehoe offered Senate Resolution No. 47, regarding Tony Lee Jones, Caruthersville, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 48, regarding Scenic Rivers Industries, Inc., Salem, which was adopted.

Senator Kehoe offered Senate Resolution No. 49, regarding Joyce Bonnot, Eldon, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 50, regarding the death of Dr. Ireates Claydean “Doc” Keeney, Houston, which was adopted.

On behalf of Senator Wieland, Senator Kehoe offered Senate Resolution No. 51, regarding Norman Eugene Burgess, Arnold, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 52, regarding the One Hundredth Anniversary of Trinity Episcopal Church, Kirksville, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 53, regarding the One Hundred Fiftieth Anniversary of Second Baptist Church, Moberly, which was adopted.

On behalf of Senator Hoskins, Senator Kehoe offered Senate Resolution No. 54, regarding Deloris Mesias-Foster, Leeton, which was adopted.

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS** for **HB 1**,

having passed both branches of the General Assembly, would be read at length by the Secretary, and if no objections be made, the bill would be signed by the President Pro Tem to the end that it may become law. No objections being made, the bill was so read by the Secretary and signed by the President Pro Tem.

On motion of Senator Kehoe, the Senate of the First Extraordinary Session of the First Regular Session of the 99th General Assembly adjourned sine die, pursuant to the Constitution.

MICHAEL L. PARSON
Lieutenant Governor

ADRIANE D. CROUSE
Secretary of the Senate

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JOURNAL OF THE SENATE
NINETY-NINTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
SECOND EXTRA SESSION
OF THE
FIRST REGULAR SESSION

FIRST DAY—MONDAY, JUNE 12, 2017

The Senate was called to order in Extra Session by President Pro Tem Richard.

Reverend Carl Gauck offered the following prayer:

“Then you will understand righteousness and justice and equity, every good path; for wisdom will come into your heart, and knowledge will be pleasant to your soul.” (Proverbs 2:9-10)

Almighty God we are once again called back to address the needs of the people of Missouri. Grant unto us, O God, all that we need to address these issues. Give to us strength of will, steadiness of purpose, ability to discern what is needed, wisdom to see what we ought to do, fidelity to complete it and a willingness to bear the consequences of our decisions. Grant us these things in Your Holy Name. Amen.

The Pledge of Allegiance to the Flag was recited.

**COMMUNICATIONS FROM THE
GOVERNOR**

The President laid before the Senate the following proclamation from the Governor, reading of which was waived:

PROCLAMATION

WHEREAS, section 188.010, RSMo, provides that “it is the intention of the general assembly of the State of Missouri to grant the right to life of all humans, born and unborn;” and

WHEREAS, on May 2, 2017, the United States District Court for the Western District of Missouri (the “Court”) in *Comprehensive Health of Planned Parenthood Great Plains, et al. v. Dr. Randall Williams, et al.*, Case No. 2:16-cv-047313-HFS ruled against health and safety standards for abortion clinics by preliminarily enjoining the enforcement of § 197.215.1(2), RSMo; 19 CSR § 30-30.060(1)(C)(4); the second sentence of § 188.080, RSMo; and § 188.027.1(1)(e), RSMo, as to physicians seeking to perform abortions; and

WHEREAS, on May 2, 2017, the Court also ruled against common sense health and safety standards for abortion clinics by preliminarily enjoining the enforcement of 19 CSR § 30-30.070 and 19 CSR § 30-30.060(1)(C)(4) as to abortion facilities; and

WHEREAS, the effect of the Court’s ruling is to eliminate the meaningful licensure of abortion clinics in Missouri, and the Court’s ruling constitutes an immediate danger to the public health, safety, and welfare; and

WHEREAS, the City of St. Louis enacted Board Bill 203CS/City Ordinance 70459, which undermines pregnancy care centers that provide critical resources for women seeking counseling and support for alternatives to abortion and the State’s “Alternatives to Abortion” program; and

WHEREAS, the State should protect freedoms of speech, association, and religion and allow persons and institutions to follow their conscience with respect to abortion-related decisions; and

WHEREAS, Article IV, Section 9 of the Missouri Constitution authorizes the Governor to “[o]n extraordinary occasions . . . convene the

General Assembly by proclamation, wherein he shall state specifically each matter on which action is deemed necessary;" and

WHEREAS, the immediate danger to the public health, safety, and welfare due to the Court's ruling against health and safety regulations of abortion clinics is an extraordinary occasion as envisioned by Article IV, Section 9 of the Missouri Constitution; and

WHEREAS, the threat to pregnancy care centers and the State's "Alternatives to Abortion" program due to St. Louis City Ordinance 70459 likewise amounts to an extraordinary occasion as envisioned by Article IV, Section 9 of the Missouri Constitution.

NOW THEREFORE, on the extraordinary occasion that exists in the State of Missouri:

I, ERIC R. GREITENS, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do, by this Proclamation, convene the Ninety-Ninth General Assembly of the State of Missouri in the Second Extra Session of the First Regular Session; and

I HEREBY call upon the Senators and Representatives of said General Assembly to meet in the State Capitol in the City of Jefferson at the hour of 4:00 p.m., Central Daylight Time, on June 12, 2017; and

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specifically designated and limited hereinafter as follows:

1. To amend section 197.200, RSMo, to define "Abortion Facility" or "Abortion Facilities;"
2. To amend section 197.200, RSMo, by deleting the portion of the definition of "ambulatory surgical center" that includes "any establishment operated for the purpose of performing or inducing any second or third-trimester abortions or five or more first-trimester abortions per month;"
3. To amend chapters 188, 191, 192, 197, and 595 so that each and every applicable section and subsection applies to "Abortion Facility" or "Abortion Facilities;"
4. To amend section 197.215, RSMo, to require that "Abortion Facilities" provide affirmative evidence that each person performing an abortion is a physician currently licensed to practice in Missouri;
5. To add a new subsection to § 197.225, RSMo, that authorizes the Department of Health and Senior Services to adopt rules, regulations, and standards regarding patient health and safety that apply to ambulatory surgical centers and, separately, that apply to "Abortion Facility" or "Abortion Facilities;"
6. To add a new subsection to § 197.230, RSMo, that requires the Department of Health and Senior Services to annually inspect every "Abortion Facility" for safety and compliance with state law and to establish the requirements of such inspections;
7. To add a new section to chapter 188 that preempts a political subdivision from enacting a law or policy that adversely affects the legal rights of a person or entity due to that person or entity's view on abortion; acknowledges those legal rights; and establishes judicial mechanisms to protect those legal rights;
8. To add a new subsection to § 188.021, RSMo, that requires "Abortion Facilities" to submit to the Department of Health and Senior Services their plans for dealing with complications resulting from certain abortions, to obtain approval from the Department of Health and Senior Services of these complication plans; and, further, to authorize the Department of Health and Senior Services to adopt rules, regulations, and standards governing these plans;
9. To amend sections 188.027.9 and 188.039.6, RSMo, to define "qualified professional" as a physician who has referred the woman to the physician who is to perform the abortion, or to an advance practice registered nurse engaged in a collaborative practice agreement with the physician who is to perform the abortion, as provided for in section 334.104, RSMo;
10. To add a new section to chapter 574 that prohibits a person, while working in an "Abortion Facility," from knowingly ordering, requesting, or attempting to prevent medical personnel or emergency services personnel from providing care to a patient in accordance with ordinary standards of care for reasons unrelated to that patient's health or welfare;
11. To add a new subsection to § 188.075, RSMo, that allows the Attorney General of Missouri to have concurrent original jurisdiction throughout the State, along with each prosecuting attorney and circuit attorney within their respective jurisdictions, to prosecute violations of chapter 188, violations of any state law on the use of public funds for abortion, and violations of any state law that regulates an "Abortion Facility" or person performing or inducing abortion, including the offense of interference with medical assistance;
12. To amend section 188.047, RSMo, to modify the law relating to the requirement of pathological examinations and related reports, and further, to authorize the Department of Health and Senior Services to adopt rules, regulations, and standards governing such examinations and reports;
13. To add a new section to chapter 188 protecting employees who disclose violations of applicable federal or state law related to chapter 188, and, further, authorizing the Department of Health and Senior Services to adopt rules, regulations, and standards regarding the implementation of such policies;
14. To add an Emergency Clause to all legislation enacted by the Ninety-Ninth General Assembly of the State of Missouri in the Second Extra Session of the First Regular Session; and
15. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 7th day of June, 2017.

Eric R. Greitens
Governor

ATTEST

Jay Ashcroft
Secretary of State

The following Senators were present during the day's proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Kraus	Libla	Munzlinger
Onder	Richard	Rizzo	Rowden	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wieland—27	

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Koenig	Nasheed	Riddle	Romine	Wasson—6
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Vacancies—1

RESOLUTIONS

Senator Kehoe offered the following resolution, which was adopted on a standing division vote:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, First Regular Session, that the Secretary of Senate inform the House of Representatives that the Senate is duly convened in the Second Extra Session of the First Regular Session and is ready for consideration of its business.

Senator Kehoe offered the following resolution, which was adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate of the Ninety-ninth General Assembly, that the rules of the Senate, as adopted by the Ninety-ninth General Assembly, First Regular Session, be declared the rules of the Second Extra Session of the First Regular Session.

Senator Romine offered Senate Resolution No. 3, regarding Eagle Scout Jordan Ray Duncan, Farmington, which was adopted.

Senators Holsman, Dixon, Silvey, Libla, Schaaf and Sifton offered the following resolution, which was read:

SENATE RESOLUTION NO. 4

Whereas, Missouri public officials, including the Governor, should be held to the highest ethical standards; and

Whereas, the Missouri Ethics Commission investigated a complaint against the Governor and his candidate committee, hereafter "committee," called "Greitens for Missouri"; and

Whereas, based upon such investigation, the Commission determined that reasonable grounds existed to believe that the Governor and

his committee committed violations of ethics laws; and

Whereas, the Commission alleged that in early 2015 the committee received the benefit of a list of prospective donors for which the committee did not pay and which was not expressly contemplated in any contract executed by the committee; and

Whereas, the donor list came from The Mission Continues, a charity that the Governor co-founded; and

Whereas, the committee did not disclose the list as a contribution received on any disclosure report filed during the period in which the committee accepted the list; and

Whereas, it was only after a consent order was issued by the Commission that the committee finally filed an amended disclosure report that showed the list as an in-kind contribution with a value of \$600.00; and

Whereas, the committee has still not disclosed the name of the individual who provided the list to the committee; and

Whereas, this failure on the part of the Governor and his committee was a violation of Missouri law, specifically Section 130.041.1(3), RSMo, regarding a failure to report a contribution; and

Whereas, Section 130.058, RSMo, provides that the candidate is ultimately responsible for all reporting requirements for the candidate's committee; and

Whereas, as a result of this violation of law, the Commission issued a consent order in which a fee was imposed against the committee; and

Whereas, it is an untenable situation where the Governor of this state is the subject of consent order for unethical behavior; and

Whereas, the definition of a lobbyist under Section 105.470, RSMo, is an individual attempting to influence the state executive, state legislative, state judicial, or elected local government officials' actions; and

Whereas, the Governor's organization, A New Missouri, led by the Governor's senior adviser clearly and repeatedly meets this statutory definition but refuses to file as a lobbyist or lobbying organization; and

Whereas, because it's a nonprofit, A New Missouri can accept unlimited contributions and is not required to disclose contributors; and

Whereas, the Governor's senior adviser has made public statements admitting to coordinating the activities of Greitens for Missouri, A New Missouri, and the official Office of the Governor in its performance of official acts, an arrangement that, at best, circumvents current ethics law, and most likely constitutes illegal coordination between the Governor's office and A New Missouri; and

Whereas, because the Governor's use of a charity that he co-founded as a source of soliciting campaign contributions without being transparent about such activities raises questions that deserve investigation by a co-equal branch of state government; and

Whereas, the coordination between the governor's office and A New Missouri should also be investigated by a co-equal branch of state government; and

Now, Therefore, Be It Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, Second Extraordinary Session, hereby establish an investigative committee to be comprised of three Senators appointed by the President Pro Tempore of the Senate and two Senators appointed by the Senate Minority Leader; and

Be It Further Resolved that the committee shall hold such hearings, and subpoena such witnesses and documents under the hand of the President Pro Tempore of the Senate, as necessary to investigate any misconduct, crimes, corruption in office, or any offense involving moral turpitude or oppression in office committed by Governor Greitens in connection with his illegal use of a donor list from The Mission Continues, the failure of the Governor's lobbying organization to register as such, and the clear coordination of the Governor's official office, political campaign and lobbying organization; and

Be It Further Resolved that the committee shall begin work upon adoption of this resolution and may continue its investigation until December 31, 2018; and

Be It Further Resolved that the committee shall, at the conclusion of its investigation, issue a report on its findings to the full Senate and the Missouri House of Representatives and forward such findings to the appropriate state or federal law enforcement agency if needed.

MESSAGES FROM THE GOVERNOR

The following messages were received from the Governor, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

June 12, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Nathan Garrett, 5335 Cherry Street, Kansas City, Jackson County, Missouri 64110, as a member of the Kansas City Board of Police Commissioners, for a term ending March 7, 2021, and until his successor is duly appointed and qualified; vice, Michael C. Rader, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

June 12, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I have the honor to transmit to you herewith for your advice and consent the following appointment:

Mark C. Tolbert, 7900 East 83rd Street, Kansas City, Jackson County, Missouri 64138, as a member of the Kansas City Board of Police Commissioners, for a term ending March 7, 2018, and until his successor is duly appointed and qualified; vice, Angela Wasson-Hunt, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI
JEFFERSON CITY, MO
65102

June 12, 2017

To the Senate of the 99th General Assembly of the State of Missouri:

I hereby withdraw from your consideration the following appointments:

Nathan Garrett, 5335 Cherry Street, Kansas City, Jackson County, Missouri 64110, as a member of the Kansas City Board of Police Commissioners, for a term ending March 7, 2021, and until his successor is duly appointed and qualified; vice, Michael C. Rader, term expired.

Mark C. Tolbert, 7900 East 83rd Street, Kansas City, Jackson County, Missouri 64138, as a member of the Kansas City Board of Police Commissioners, for a term ending March 7, 2018, and until his successor is duly appointed and qualified; vice, Angela Wasson-Hunt, term expired.

Respectfully submitted,
Eric R. Greitens
Governor

Senator Rowden assumed the Chair.

President Pro Tem Richard moved that the above appointments be returned to the Governor per his request, which motion prevailed.

INTRODUCTION OF BILLS

The following Bills and Joint Resolution were read the 1st time and ordered printed:

SB 1—By Onder, Wallingford, Wieland, Hoskins, Eigel, Sater and Emery.

An Act to repeal sections 188.021, 188.027, 188.030, 188.039, 188.047, 188.075, 192.665, 192.667, 197.150, 197.152, 197.158, 197.160, 197.162, 197.165, 197.200, 197.205, 197.215, 197.220, 197.225, 197.230, 197.235, 197.240, 197.285, 197.287, 197.289, 197.293, 197.295, and 595.027, RSMo, and to enact in lieu thereof thirty-one new sections relating to abortion, with penalty provisions and an emergency clause.

SB 2—By Schaaf.

An Act to repeal section 105.470, RSMo, section 105.473 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 105.473 as enacted by house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof two new sections relating to lobbyists.

SB 3—By Schaaf.

An Act to repeal section 105.455, RSMo, and to enact in lieu thereof one new section relating to the waiting period before certain public officials can become lobbyists.

SB 4—By Schaaf.

An Act to repeal section 130.041 as enacted by senate bill no. 844, ninety-fifth general assembly, second regular session, and section 130.041 as enacted by senate bills nos. 31 & 285, ninetieth general assembly, first regular session, and to enact in lieu thereof one new section relating to financial disclosure under campaign finance laws.

SB 5—By Koenig.

An Act to repeal section 188.075, RSMo, and to enact in lieu thereof one new section relating to the jurisdiction of the attorney general to enforce state abortion laws, with penalty provisions.

SB 6—By Dixon.

An Act to amend chapter 188, RSMo, by adding thereto one new section relating to the preemption of political subdivision authority regarding abortion, with an emergency clause.

SJR 1—By Holsman.

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing sections 20, 20(a), 22, and 32 of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to the time periods of the legislative sessions of the general assembly.

President Pro Tem Richard assumed the Chair.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

June 12, 2017

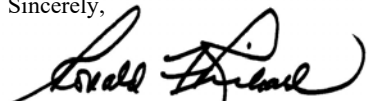
Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to Senate Rule 12, I hereby remove Senators Gary Romine and Jeanie Riddle from the Committee on Seniors, Families and Children and appoint the following:

Senator Wayne Wallingford
Senator Ed Emery

Sincerely,



Ron Richard

President Pro Tem

On motion of Senator Kehoe, the Senate adjourned under the rules.

SENATE CALENDAR

SECOND DAY—TUESDAY, JUNE 13, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 1-Onder, et al
SB 2-Schaaf
SB 3-Schaaf
SB 4-Schaaf

SB 5-Koenig
SB 6-Dixon
SJR 1-Holsman

INFORMAL CALENDAR

RESOLUTIONS

To be Referred

SR 4-Holsman, et al

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Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

SECOND DAY—TUESDAY, JUNE 13, 2017

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

Reverend Carl Gauck offered the following prayer:

“Humble yourselves therefore under the mighty hand of God, so that he may exalt you in due time.” (I Peter 5:6)

Heavenly Father we thank You that You have put into our hearts the desire to pray so in times of difficulty we can instinctively turn to You in prayer. We are grateful that You have promised to listen to our every word and to hear even the heart’s unspoken groans for help. So on this day we ask for Your guidance and Your encouragement to do what is truly needed. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal for Monday, June 12, 2017 was read and approved.

Senator Kehoe announced photographers from KOMU-8 and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hummel	Kehoe	Koenig	Libla	Munzlinger
Onder	Richard	Rizzo	Rowden	Sater	Schatz	Schupp
Silvey	Wallingford	Walsh	Wasson	Wieland—26		

Absent—Senators—None

Absent with leave—Senators

Hoskins	Kraus	Nasheed	Riddle	Romine	Schaaf	Sifton—7
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Vacancies—1

Senator Kehoe requested unanimous consent of the Senate to allow law enforcement from to enter the Chamber with side arms, which request was granted.

RESOLUTIONS

Senator Walsh offered Senate Resolution No. 5, regarding Robert Louis “Bob” Laible, Florissant, which was adopted.

Senator Wieland offered Senate Resolution No. 6, regarding Major Matthew Osborn and Captain Debra Osborn, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 7, regarding Chief Fire Executive Steve Westermann, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 8, regarding the 2016-2017 Van-Far High School Men’s 4x100 Relay Track Team, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 9, regarding the 2016-2017 Van-Far High School Men’s 4x200 Relay Track Team, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 10, regarding the 2016-2017 Van-Far High School Men’s Track Indians, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 11, regarding Logan Minter, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 12, regarding Jordan Bichsel, which was adopted.

Senator Schupp offered Senate Resolution No. 13, regarding William Evert “Bill” Marshall, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 14, regarding Norman Liss, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 15, regarding Theodore Mead “Ted” Usher, Creve Coeur, which was adopted.

Senator Schupp offered Senate Resolution No. 16, regarding Arthur Edwin “Art” Shevitz, Chesterfield, which was adopted.

Senator Schupp offered Senate Resolution No. 17, regarding Wade J. DeWoskin, St. Louis, which was adopted.

INTRODUCTION OF BILLS

The following Bill was read the 1st time and ordered printed:

SB 7—By Chappelle-Nadal.

An Act to repeal section 441.236, RSMo, and to enact in lieu thereof five new sections relating to contaminated homes, with a penalty provision and an emergency clause.

SECOND READING OF SENATE BILLS

The following Bills and Joint Resolution were read the 2nd time and referred to the Committees indicated:

SB 1—Seniors, Families and Children.

SB 2—Rules, Joint Rules, Resolutions and Ethics.

SB 3—Rules, Joint Rules, Resolutions and Ethics.

SB 4—Rules, Joint Rules, Resolutions and Ethics.

SB 5—Seniors, Families and Children.

SB 6—Seniors, Families and Children.

SJR 1—Rules, Joint Rules, Resolutions and Ethics.

REFERRALS

President Pro Tem Richard referred **SR 4** to the Committee on Rules, Joint Rules, Resolutions and Ethics.

On motion of Senator Kehoe, the Senate recessed until 2:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

REPORTS OF STANDING COMMITTEES

Senator Sater, Chairman of the Committee on Seniors, Families and Children, submitted the following reports:

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 5**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 6**, begs leave to report that it has considered the same and recommends that the bill do pass.

Also,

Mr. President: Your Committee on Seniors, Families and Children, to which was referred **SB 1**, begs leave to report that it has considered the same and recommends that the Senate Committee Substitute, hereto attached, do pass.

INTRODUCTION OF GUESTS

Senator Kehoe introduced to the Senate, Osage County Sheriff Mike Bonham, Freeburg.

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Wednesday, June 14, 2017.

SENATE CALENDAR

THIRD DAY—WEDNESDAY, JUNE 14, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 7-Chappelle-Nadal

SENATE BILLS FOR PERFECTION

SB 5-Koenig
SB 6-Dixon

SB 1-Onder, et al, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

THIRD DAY—WEDNESDAY, JUNE 14, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

Senator Rowden offered the following prayer:

Father, we pause today to give thanks to You for Your goodness and Your grace. We are humbled by the opportunity to serve the people of this great state, but even more, we are humbled that we have the opportunity to be called Your children.

Today, we are saddened by the news from Arlington, Virginia, of senseless violence against Congressman Scalise and the others involved in this horrific incident. Our hearts are broken as we confront this startling new reality of rhetoric-driven hate and disrespect of our political opponents. In this chamber, as republicans and democrats in the Missouri Senate, may we lead the effort to push back against this extremism. To push back against the idea that if we disagree with someone politically, we are mortal enemies. And to work with diligence to restore civility and respect in our political discourse.

May we find our example of how to lead in the way You led and the way You loved. Driven by compassion, motivated by truth, and committed to serve the most vulnerable among us with love.

As we begin our debate today, we stand on the promise found in the 41st chapter of Isaiah where it says, “Do not fear, for I am with you; Do not anxiously look about you, for I am your God. I will strengthen you, surely I will help you, surely I will uphold you with my righteous right hand.”

Thank You for Your promises and for Your truth. They are our hope and will be our guide as we do the work of the people this evening. We ask these things in Jesus name. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from St. Louis Post Dispatch, Associated Press, KMIZ-TV, ABC News and KRCG-TV were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Munzlinger

Onder	Richard	Rizzo	Rowden	Sater	Schatz	Schupp
Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—27	

Absent—Senators—None

Absent with leave—Senators

Kraus	Libla	Nasheed	Riddle	Romine	Schaaf—6
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Vacancies—1

RESOLUTIONS

Senator Wallingford offered Senate Resolution No. 18, regarding John R. Davis, Jr., Cape Girardeau, which was adopted.

Senator Hoskins offered Senate Resolution No. 19, regarding Eagle Scout Dawson J. Templin, Knob Noster, which was adopted.

Senator Hoskins offered Senate Resolution No. 20, regarding Eagle Scout Paul W. Tibbets, V, Knob Noster, which was adopted.

INTRODUCTION OF BILLS

SB 8—By Chappelle-Nadal.

An Act to amend chapter 30, RSMo, by adding thereto one new section relating to the investment policies of public entities, with a referendum clause.

SENATE BILLS FOR PERFECTION

Senator Koenig moved that **SB 5** be taken up for perfection, which motion prevailed.

Senator Koenig offered **SS** for **SB 5**, entitled:

SENATE SUBSTITUTE FOR SENATE BILL NO. 5

An Act to repeal sections 188.030, 188.047, 188.075, 192.665, 192.667, 197.150, 197.152, 197.158, 197.160, 197.162, 197.165, 197.200, 197.205, 197.215, 197.220, 197.225, 197.230, 197.235, 197.240, 197.285, 197.287, 197.289, 197.293, 197.295, and 595.027, RSMo, and to enact in lieu thereof twenty-seven new sections relating to abortion, with penalty provisions and an emergency clause.

Senator Koenig moved that **SS** for **SB 5** be adopted.

At the request of Senator Keonig, **SB 5**, with **SS** (pending), was placed on the Informal Calendar.

On motion of Senator Kehoe, the Senate recessed until 8:15 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

SENATE BILLS FOR PERFECTION

Senator Koenig moved that **SB 5**, with **SS** (pending), be called from the Informal Calendar and again taken up for perfection, which motion prevailed.

SS for **SB 5** was again taken up.

Senator Koenig moved that **SS** for **SB 5** be adopted, which motion prevailed.

On motion of Senator Koenig, **SS** for **SB 5** was declared perfected and ordered printed.

On motion of Senator Kehoe, the Senate recessed until 10:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **SS** for **SB 5**, begs leave to report that it has examined the same and finds that the bill has been truly perfected and that the printed copies furnished the Senators are correct.

On motion of Senator Kehoe, the Senate adjourned until 12:01 a.m., Thursday, June 15, 2017.

SENATE CALENDAR

FOURTH DAY—THURSDAY, JUNE 15, 2017

FORMAL CALENDAR

SECOND READING OF SENATE BILLS

SB 7-Chappelle-Nadal

SB 8-Chappelle-Nadal

THIRD READING OF SENATE BILLS

SS for SB 5-Koenig

SENATE BILLS FOR PERFECTION

SB 6-Dixon

SB 1-Onder, et al, with SCS

Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

FOURTH DAY—THURSDAY, JUNE 15, 2017

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

Senator Walsh offered the following prayer:

“For all who are led by the Spirit of God are children of God.” (Romans 8:14)

O God, king of the universe, in all our undertaking grant us understandings, grant us success and faithfulness. Make our minds calm and serene, free from anxiety and worry so we can make clear minded decisions that are helpful for those which we hope to help. And save us from doubt so our work is satisfactory, our study settled on true wisdom, our loyalty settled on You, so we are brought closer to You. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Cunningham	Curls	Dixon	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Koenig	Munzlinger
Onder	Richard	Riddle	Rizzo	Rowden	Sater	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

Absent—Senators—None

Absent with leave—Senators

Kraus	Libla	Nasheed	Romine	Schaaf—5
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Vacancies—1

THIRD READING OF SENATE BILLS

SS for SB 5, introduced by Senator Koenig, entitled:

SENATE SUBSTITUTE FOR
SENATE BILL NO. 5

An Act to repeal sections 188.030, 188.047, 188.075, 192.665, 192.667, 197.150, 197.152, 197.158, 197.160, 197.162, 197.165, 197.200, 197.205, 197.215, 197.220, 197.225, 197.230, 197.235, 197.240, 197.285, 197.287, 197.289, 197.293, 197.295, and 595.027, RSMo, and to enact in lieu thereof twenty-seven new sections relating to abortion, with penalty provisions and an emergency clause.

Was taken up.

On motion of Senator Koenig, **SS for SB 5** was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Munzlinger	Onder	Richard	Riddle	Rowden
Sater	Schatz	Silvey	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Rizzo	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators

Kraus	Libla	Nasheed	Romine	Schaaf—5
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Vacancies—1

The President declared the bill passed.

The emergency clause, failing to receive the necessary two-thirds majority, was defeated by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Munzlinger	Onder	Richard	Riddle	Rowden
Sater	Schatz	Silvey	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Chappelle-Nadal	Curls	Holsman	Hummel	Rizzo	Schupp	Sifton
Walsh—8						

Absent—Senators—None

Absent with leave—Senators

Kraus	Libla	Nasheed	Romine	Schaaf—5
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Vacancies—1

On motion of Senator Koenig, title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Kehoe moved that motion lay on the table, which motion prevailed.

SECOND READING OF SENATE BILLS

The following Bills were read the 2nd time and referred to the Committees indicated:

SB 7—Commerce, Consumer Protection, Energy and the Environment.

SB 8—Economic Development.

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Thursday, June 22, 2017.

SENATE CALENDAR

FIFTH DAY—THURSDAY, JUNE 22, 2017

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 6-Dixon

SB 1-Onder, et al, with SCS

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Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

FIFTH DAY—THURSDAY, JUNE 22, 2017

The Senate met pursuant to adjournment.

Senator Rowden in the Chair.

RESOLUTIONS

On behalf of Senator Emery, Senator Rowden offered Senate Resolution No. 21, regarding Eagle Scout Andrew Patrick Snider, Peculiar, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 22, regarding the Fiftieth Wedding Anniversary of JD and Judy Gay, Savannah, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 23, regarding the Fiftieth Wedding Anniversary of WR and Carole O'Riley, Maryville, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 24, regarding the Sixty-fifth Wedding Anniversary of John and Donna Carmichael, Maryville, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 25, regarding the Sixty-fifth Wedding Anniversary of Harold and Neta Marie Wellman, Putnam County, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 26, regarding the Sixtieth Wedding Anniversary of George and Virginia Gumm, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 27, regarding the Fiftieth Wedding Anniversary of Larry and Louann Meyer, Maryville, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 28, regarding the Fiftieth Wedding Anniversary of Jim and Maggie Bush, Trenton, which was adopted.

On behalf of Senator Hegeman, Senator Rowden offered Senate Resolution No. 29, regarding the Fiftieth Wedding Anniversary of Randal V. and Bonnie S. Quick, Green City, which was adopted.

On behalf of Senator Munzlinger and himself, Senator Rowden offered Senate Resolution No. 30, regarding Kelly Odneal, Huntsville, which was adopted.

On behalf of Senator Schupp, Senator Rowden offered Senate Resolution No. 31, regarding Dr. Linda Smith, which was adopted.

On behalf of Senator Sater, Senator Rowden offered Senate Resolution No. 32, regarding Doug Hobson, Monett, which was adopted.

On behalf of Senator Nasheed, Senator Rowden offered Senate Resolution No. 33, regarding the Mound City Bar Association, which was adopted.

On behalf of Senator Koenig, Senator Rowden offered Senate Resolution No. 34, regarding Gary Lee Adams, Valley Park, which was adopted.

On behalf of Senator Koenig, Senator Rowden offered Senate Resolution No. 35, regarding Andrew Emil Cavanaugh, Saint Louis, which was adopted.

On behalf of Senator Koenig, Senator Rowden offered Senate Resolution No. 36, regarding Joseph Richard “Joe” Perry, Valley Park, which was adopted.

On behalf of Senator Kehoe, Senator Rowden offered Senate Resolution No. 37, regarding Matthew Healy, Smithtown, New York, which was adopted.

On behalf of Senator Nasheed, Senator Rowden offered Senate Resolution No. 38, regarding Misty Marr-Dobynes, which was adopted.

Senator Rowden offered Senate Resolution No. 39, regarding Boone County Clerk Wendy Noren, Columbia, which was adopted.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, inform the Senate that the House duly convened in the Second Extraordinary Session of the First Regular Session on Monday, June 12, 2017, and is convened in full session and ready for consideration of its business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and passed **HCS** for **SS** for **SB 5**, entitled:

An Act to repeal sections 188.021, 188.027, 188.030, 188.039, 188.047, 188.075, 192.665, 192.667, 197.150, 197.152, 197.158, 197.160, 197.162, 197.165, 197.200, 197.205, 197.215, 197.220, 197.225, 197.230, 197.235, 197.240, 197.285, 197.287, 197.289, 197.293, 197.295, and 595.027, RSMo, and to enact in lieu thereof thirty-one new sections relating to abortions, with penalty provisions.

With House Amendment Nos. 1 and 2.

HOUSE AMENDMENT NO. 1

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 5, Page 12, Section 188.047, Line 1, by inserting immediately after the word “tissue” the words “, **except that tissue needed for purposes described in subsection 5 of this section,**”; and

Further amend said bill, page, and section, Line 2, by deleting the words “**seventy-two hours**” and inserting in lieu thereof the words “**five days**”; and

Further amend said bill and section, Pages 12 and 13, Lines 10 to 18, by deleting said lines and inserting in lieu thereof the following:

“2. The department shall reconcile each notice of abortion with its corresponding tissue report. If the department does not receive the notice of abortion or the tissue report, the department shall make an inquiry of the abortion facility or hospital. After such inquiry, if the hospital or abortion facility has not satisfactorily responded to said inquiry and the department finds that the abortion facility or hospital where the abortion was performed or induced was not in compliance with the provisions of this section, the department shall consider such noncompliance a deficiency requiring an unscheduled inspection of the facility to ensure the deficiency is remedied, subject to the provisions of chapter 197 regarding license suspensions, reviews, and appeals.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

HOUSE AMENDMENT NO. 2

Amend House Committee Substitute for Senate Substitute for Senate Bill No. 5, Page 2, Section 188.021, Line 17, by inserting after the word “**question.**” the following:

“No complication plan shall be required where the patient is administered the drug in a medical emergency at a hospital and is then treated as an inpatient at a hospital under medical monitoring by the hospital until the abortion is completed.”; and

Further amend said bill and page, Section 188.027, Line 5, by deleting the phrase “or [a qualified professional]” and inserting in lieu thereof the phrase “[or], a qualified professional, **or**”; and

Further amend said bill and section, Page 3, Line 42, by deleting the phrase “or [a qualified professional]” and inserting in lieu thereof the phrase “[or], a qualified professional, **or**”; and

Further amend said bill and section, Page 7, Line 162, by inserting immediately after said line the following:

“6. The physician who is to perform or induce the abortion shall, at least seventy-two hours prior to such procedure, inform the woman orally and in person of:

(1) The immediate and long-term medical risks to the woman associated with the proposed abortion method including, but not limited to, infection, hemorrhage, cervical tear or uterine perforation, harm to subsequent pregnancies or the ability to carry a subsequent child to term, and possible adverse psychological effects associated with the abortion; and

(2) The immediate and long-term medical risks to the woman, in light of the anesthesia and medication that is to be administered, the unborn child’s gestational age, and the woman’s medical history and medical conditions.”; and

Further amend said bill and section by renumbering the subsections accordingly; and

Further amend said bill, Page 11, Section 188.039, Line 8, by deleting the phrase “or [a qualified professional]” and inserting in lieu thereof the phrase “[or], a qualified professional, **or**”; and

Further amend said bill, page, and section, Line 17, by deleting the phrase “or [a qualified professional]”

and inserting in lieu thereof the phrase “[or], a qualified professional, **or**”; and

Further amend said bill and section, Page 12, Line 23, by deleting the phrase “or [a qualified professional]” and inserting in lieu thereof the phrase “[or], a qualified professional, **or**”; and

Further amend said bill, page, and section, Line 25, by deleting the phrase “[or qualified professional]” and inserting in lieu thereof the phrase “or qualified professional”; and

Further amend said bill, page, and section, Line 30, by deleting the phrase “[or qualified professionals]” and inserting in lieu thereof the phrase “or qualified professionals”; and

Further amend said bill, page, and section, Line 32, by deleting the phrase “[or qualified professional]” and inserting in lieu thereof the phrase “or qualified professional”; and

Further amend said bill, page, and section, Lines 33-40, by removing said lines and inserting in lieu thereof the following:

“6. As used in this section, the term “qualified professional” shall refer to a physician, physician assistant, registered nurse, licensed practical nurse, psychologist, licensed professional counselor, or licensed social worker, licensed or registered under chapter 334, 335, or 337, acting under the supervision of the physician performing or inducing the abortion, and acting within the course and scope of his or her authority provided by law. The provisions of this section shall not be construed to in any way expand the authority otherwise provided by law relating to the licensure, registration, or scope of practice of any such qualified professional.

7. If the provisions in subsection 2 of this section requiring a seventy-two-hour waiting”; and

Further amend said bill, Page 13, Section 188.047, Lines 19-32, by deleting said lines and inserting in lieu thereof the following:

“3. Beginning January 1, 2018, the department shall make an annual report to the general assembly. The report shall include the number of any deficiencies and inquiries by the department of each abortion facility in the calendar year and whether any deficiencies were remedied and, for each abortion facility, aggregated de-identified data about the total number of abortions performed at the facility, the termination procedures used, the number and type of complications reported for each type of termination procedure, whether the department received the tissue report for each abortion, and the existence and nature, if any, of any inconsistencies or concerns between the abortion reports submitted under section 188.052 and the tissue report submitted under this section.

The report shall not contain any personal patient information the disclosure of which is prohibited by state or federal law.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

In which the concurrence of the Senate is respectfully requested.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

June 16, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol, Room 325
Jefferson City, MO 65101-6806

Dear Ms. Crouse:

Pursuant to Senate Rule 31, I am establishing the following Senate Interim Committee:

Senate Interim Committee on Labor Reform to conduct in-depth studies and make appropriate recommendations concerning the hourly rate of wages required to be paid to workers employed by or on behalf of any public body engaged in public work and the regulation of public-sector labor organizations and public bodies that deal with such organizations.

The Committee shall consist of seven members:

Sen. Dave Schatz, Chair
Sen. Dan Brown, Vice-Chair
Sen. Bob Onder
Sen. Ryan Silvey
Sen. Brian Munzlinger
Sen. Jake Hummel
Sen. Gina Walsh

This committee shall be staffed by counsel from Senate Research and Senate Appropriations and may hold public hearings at locations to be determined by the chairman. The committee may solicit any input and information necessary to fulfill its obligations from the appropriate state departments and agencies, including the Department of Labor and Industrial Relations. Reasonable, actual, and necessary expenses of this committee shall be reimbursed by the Missouri Senate.

The Committee shall issue a final report as to their findings and recommendations, as deemed necessary by a majority of the members of the committee, to the president pro tempore of the Missouri Senate no later than December 31, 2017, for legislative action.

If you have any questions, please contact me at your earliest convenience.

Sincerely,



Sen. Ron Richard
President Pro Tempore
Missouri State Senate

On motion of Senator Rowden, the Senate adjourned until 9:00 a.m., Tuesday, June 27, 2017.

SENATE CALENDAR

SIXTH DAY—TUESDAY, JUNE 27, 2017

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 6-Dixon

SB 1-Onder, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 5-Koenig, with HCS, as amended

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Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

SIXTH DAY—TUESDAY, JUNE 27, 2017

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

Photographers from KMIZ-TV were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 40, regarding the Sixty-fifth Anniversary of Marvin and Bonnie Houston, Holliday, which was adopted.

On behalf of Senator Eigel, Senator Kehoe offered Senate Resolution No. 41, regarding James Henry “Jim” Wilmes, Saint Charles, which was adopted.

On behalf of Senator Eigel, Senator Kehoe offered Senate Resolution No. 42, regarding Robert Eugene “Bob” Fuller, Saint Charles, which was adopted.

On behalf of Senator Eigel, Senator Kehoe offered Senate Resolution No. 43, regarding Edwin Lawrence “Ed” Echelmeyer, Saint Charles, which was adopted.

On behalf of Senators Dixon and Wasson, Senator Kehoe offered Senate Resolution No. 44, regarding Trace Sederwall, Nixa, which was adopted.

On behalf of Senator Wieland, Senator Kehoe offered Senate Resolution No. 45, regarding Larry Case, Jefferson City, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 46, regarding Scott Young, Blue Springs, which was adopted.

On behalf of Senator Riddle, Senator Kehoe offered Senate Resolution No. 47, regarding the Fiftieth Wedding Anniversary of Roger and Shirley Holland, Fulton, which was adopted.

On behalf of Senator Romine, Senator Kehoe offered Senate Resolution No. 48, regarding Dr. Charles Homer Appleberry, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 49, regarding Forsyth Community Presbyterian Church, Forsyth, which was adopted.

On behalf of Senators Romine and Walsh, Senator Kehoe offered Senate Resolution No. 50, regarding Charles A. Radin, Festus, which was adopted.

On behalf of Senator Cunningham, Senator Kehoe offered Senate Resolution No. 51, regarding Waggoner True Value Home Center, Willow Springs, which was adopted.

On behalf of Senator Schupp, Senator Kehoe offered Senate Resolution No. 52, regarding Pattonville School Board, which was adopted.

On behalf of Senator Holsman, Senator Kehoe offered Senate Resolution No. 53, regarding Eagle Scout Thomas DeLong, Kansas City, which was adopted.

On behalf of Senator Holsman, Senator Kehoe offered Senate Resolution No. 54, regarding Eagle Scout Jon Gibson, Kansas City, which was adopted.

On behalf of Senator Holsman, Senator Kehoe offered Senate Resolution No. 55, regarding Eagle Scout Daniel Pfaff, Kansas City, which was adopted.

On behalf of Senators Walsh and Sifton, Senator Kehoe offered Senate Resolution No. 56, regarding Robert R. Carr, Crestwood, which was adopted.

On behalf of Senator Koenig, Senator Kehoe offered Senate Resolution No. 57, regarding Vern Kimmell, Saint Louis, which was adopted.

COMMUNICATIONS

President Pro Tem Richard submitted the following:

June 23, 2017

Ms. Adriane Crouse
Secretary of the Senate
State Capitol Building, Room 325
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to House Concurrent Resolution 47, I hereby appoint the following to the 21st Century Missouri Transportation System Task Force.

Mr. Rudolph E. Farber

Mr. Dale Williams

Sincerely,



Ron Richard
President Pro Tem

Also,

June 26, 2017

Ms. Adriane Crouse
Secretary of the Senate

State Capitol Building
Jefferson City, MO 65101

Dear Ms. Crouse:

Pursuant to House Concurrent Resolution 47, I hereby appoint the following senator as the Vice Chairman to the 21st Century Missouri Transportation System Task Force.

Senator Dave Schatz

Sincerely,



Ron Richard

President Pro Tem

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Thursday, July 6, 2017.

SENATE CALENDAR

SEVENTH DAY—THURSDAY, JULY 6, 2017

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 6-Dixon

SB 1-Onder, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 5-Koenig, with HCS, as amended

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Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

SEVENTH DAY—THURSDAY, JULY 6, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

COMMUNICATIONS FROM THE GOVERNOR

SPECIAL MESSAGE

TO ALL MEMBERS OF THE NINETY-NINTH GENERAL ASSEMBLY OF THE STATE OF MISSOURI:

WHEREAS, by my proclamation dated June 7, 2017, I convened the Ninety-Ninth General Assembly of the State of Missouri in the Second Extra Session of the First Regular Session; and

WHEREAS, it has come to my attention that additional extraordinary matters need to be considered during this Second Extra Session; and

WHEREAS, the said Second Extra Session of the General Assembly has convened in the City of Jefferson on June 12, 2017, pursuant to my call.

NOW THEREFORE, I, ERIC R. GREITENS, GOVERNOR OF THE STATE OF MISSOURI, pursuant to the authority vested in me as Governor by the Constitution of the State of Missouri, do hereby amend the matters specifically designated in said Proclamation for consideration by the General Assembly as follows:

I HEREBY state that the action of said General Assembly is deemed necessary concerning each matter specially designated and limited hereinafter as follows:

1. To amend section 197.200, RSMo, to define “Abortion Facility” or “Abortion Facilities;”
2. To amend section 197.200, RSMo, by deleting the portion of the definition of “ambulatory surgical center” that includes “any establishment operated for the purpose of performing or inducing any second or third-trimester abortions or five or more first-trimester abortions per month;”

3. To amend chapters 188, 191, 192, 197, and 595 so that each and every applicable section and subsection applies to “Abortion Facility” or “Abortion Facilities;”
4. To amend section 197.215, RSMo, to require that “Abortion Facilities” provide affirmative evidence that each person performing an abortion is a physician currently licensed to practice in Missouri;
5. To add a new subsection to § 197.225, RSMo, that authorizes the Department of Health and Senior Services to adopt rules, regulations, and standards regarding patient health and safety that apply to ambulatory surgical centers and, separately, that apply to “Abortion Facility” or “Abortion Facilities;”
6. To add a new subsection to § 197.225, RSMo, that requires “Abortion Facilities” to maintain a written protocol for managing medical emergencies and the transfer of patients requiring further emergency care to a hospital within a reasonable distance from the “Abortion Facility;”
7. To amend section 197.287, RSMo, to require that all “Abortion Facilities” comply with the requirements of said section by July 1, 2018;
8. To add a new subsection to § 197.230, RSMo, that requires the Department of Health and Senior Services to annually inspect every “Abortion Facility” for safety and compliance with state law and to establish the requirements of such inspections and to make reports of such inspections publicly available;
9. To amend the definition of “nosocomial infection” in section 192.665, RSMo, to be defined according to the definition established by the federal Centers for Disease Control and Prevention;
10. To add a new section to chapter 188 that preempts a political subdivision from enacting a law or policy that adversely affects the operations, speech, or legal rights of a person or entity due to that person or entity’s view on abortion; acknowledges those legal rights; and establishes judicial mechanisms to protect those legal rights;
11. To add a new subsection to § 188.021, RSMo, that requires “Abortion Facilities” to submit to the Department of Health and Senior Services their plans for dealing with complications resulting from certain abortions, to obtain approval from the Department of Health and Senior Services of these complication plans; and, further, to authorize the Department of Health and Senior Services to adopt rules, regulations, and standards governing these plans;
12. To amend sections 188.027.9 and 188.039.6, RSMo, to define “qualified professional” as a physician who has referred the woman to the physician who is to perform the abortion, or to an advance practice registered nurse engaged in a collaborative practice agreement with the physician who is to perform the abortion, as provided for in section 334.104, RSMo;
13. To amend section 188.027, RSMo, to require that the physician performing the abortion inform the woman seeking an abortion of the medical risks associated with the proposed abortion method;
14. To amend sections 188.027 and 188.039, RSMo, to apply to “the referring physician;”
15. To add a new section to chapter 574 that prohibits a person, while working in an “Abortion Facility,” from knowingly ordering, requesting, or attempting to prevent medical personnel or emergency services personnel from providing care to a patient in accordance with ordinary standards of care for reasons unrelated to that patient’s health or welfare and to create the offense of interference with medical assistance;
16. To add a new subsection to § 188.075, RSMo, that allows the Attorney General of Missouri to have concurrent original jurisdiction throughout the State, along with each prosecuting attorney and circuit

attorney within their respective jurisdictions, to prosecute violations of chapter 188, violations of any state law on the use of public funds for abortion, and violations of any state law that regulates an “Abortion Facility” or person performing or inducing abortion, including the offense of interference with medical assistance;

17. To amend section 188.047, RSMo, to modify the law relating to the requirement of pathological examinations and related reports, and further, to authorize the Department of Health and Senior Services to adopt rules, regulations, and standards governing such examinations and reports;

18. To add a new section to chapter 188 protecting employees who disclose violations of applicable federal or state law related to chapter 188, and, further, authorizing the Department of Health and Senior Services to adopt rules, regulations, and standards regarding the implementation of such policies;

19. To add an Emergency Clause to all legislation enacted by the Ninety-Ninth General Assembly of the State of Missouri in the Second Extra Session of the First Regular Session; and

20. Such additional and other matters as may be recommended by the Governor by special message to the General Assembly after it shall have convened.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 5th day of July, 2017.

Eric R. Greitens
Governor

ATTEST:

John R. Ashcroft
Secretary of State

RESOLUTIONS

On behalf of Senator Hoskins, Senator Kehoe offered Senate Resolution No. 58, regarding Glenda Wilcox, Sedalia, which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 59, regarding Team Titanium FRC 1986 and Lee’s Summit West High School, which was adopted.

On behalf of Senator Munzlinger, Senator Kehoe offered Senate Resolution No. 60, regarding Logan Smith, La Plata, which was adopted.

On behalf of Senator Brown, Senator Kehoe offered Senate Resolution No. 61, regarding John Petersen, Rolla, which was adopted.

On behalf of Senators Riddle and Rowden, Senator Kehoe offered Senate Resolution No. 62, regarding the One Hundred Fiftieth Anniversary of Bethlehem Church, Centralia, which was adopted.

On behalf of Senator Nasheed, Senator Kehoe offered Senate Resolution No. 63, regarding the death of Norbert Lee “KO” Cody, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 64, regarding the Fiftieth Wedding Anniversary of Lewis and Patty Olmstead, Green City, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 65, regarding the Sixtieth Wedding Anniversary of Dale and Lila Faulkner, Tarkio, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 66, regarding the Fiftieth Wedding Anniversary of Greg and Sharon Pottratz, Maysville, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 67, regarding the Fiftieth Wedding Anniversary of Joe and Catherine Barmann, Maryville, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 68, regarding the Fiftieth Wedding Anniversary of James and Lana Coffman, Green City, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 69, regarding Sixtieth Wedding Anniversary of Jerry and Phyllis Staples, Milan, which was adopted.

On behalf of Senator Hegeman, Senator Kehoe offered Senate Resolution No. 70, regarding Seventy-fifth Wedding Anniversary of Merle and Mary Ellen White, Hopkins, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 71, regarding the Fiftieth Wedding Anniversary of John and Diane Ford, St. Joseph, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 72, regarding the Fiftieth Wedding Anniversary of John and Barbara Tillery, Faucett, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 73, regarding the Twenty-fifth Wedding Anniversary of Paul and Donna Manly, Rushville, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 74, regarding the Fiftieth Wedding Anniversary of Dave and Ginger Maudlin, St. Joseph, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 75, regarding the Fiftieth Wedding Anniversary of Chuck and Sharon Beery, Gower, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 76, regarding the Fiftieth Wedding Anniversary of Lloyd and Carol Waller, which was adopted.

On behalf of Senator Schaaf, Senator Kehoe offered Senate Resolution No. 77, regarding the Fiftieth Wedding Anniversary of Ted and Linda Stoddard, St. Joseph, which was adopted.

On motion of Senator Kehoe, the Senate adjourned until 9:00 a.m., Friday, July 14, 2017.

SENATE CALENDAR

EIGHTH DAY—FRIDAY, JULY 14, 2017

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 6-Dixon

SB 1-Onder, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 5-Koenig, with HCS, as amended

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Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

EIGHTH DAY—FRIDAY, JULY 14, 2017

The Senate met pursuant to adjournment.

Senator Kehoe in the Chair.

RESOLUTIONS

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 78, regarding Maryn White, Lee's Summit, which was adopted.

On behalf of Senator Onder, Senator Kehoe offered Senate Resolution No. 79, regarding True Manufacturing, O'Fallon, which was adopted.

On behalf of Senator Nasheed, Senator Kehoe offered Senate Resolution No. 80, regarding Michael McMillan, which was adopted.

On behalf of Senator Curls, Senator Kehoe offered Senate Resolution No. 81, regarding the Thirtieth Anniversary of ThinkFirst, Kansas City, which was adopted.

Senator Walsh offered Senate Resolution No. 82, regarding the death of Hubert H. Hoosman, Jr., which was adopted.

On behalf of Senator Kraus, Senator Kehoe offered Senate Resolution No. 83, regarding the One Hundredth Birthday of Hildegard L. Henry, Independence, which was adopted.

On behalf of Senator Nasheed, Senator Kehoe offered Senate Resolution No. 84, regarding the One Hundredth Birthday of Azelie Simmons-Pitts, St. Louis, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 85, regarding KeenBean Coffee Roasters, Mount Vernon, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 86, regarding the Fiftieth Wedding Anniversary of Bud and Vicki Wratten, Kimberling City, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 87, regarding Julie Garner, Pierce City, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 88, regarding the Fiftieth Wedding Anniversary of Earl and Kay McNeil, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 89, regarding Leon Mahurin, Washburn, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 90, regarding the 2017 Class 4 state champion Aurora High School Baseball Houn' Dawgs, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 91, regarding Reverend Carl F. Petering, which was adopted.

On behalf of Senator Sater, Senator Kehoe offered Senate Resolution No. 92, regarding the Fiftieth Wedding Anniversary of Darrell and Judy Mooneyham, Verona, which was adopted.

On behalf of Senator Libla, Senator Kehoe offered Senate Resolution No. 93, regarding Thomas J. Hoover, Poplar Bluff, which was adopted.

On behalf of Senator Hoskins, Senator Kehoe offered Senate Resolution No. 94, regarding the One Hundredth Birthday of Kenneth O. Hale, Warrensburg, which was adopted.

Senator Kehoe announced photographers from MissouriNet were given permission to take pictures in the Senate Chamber.

On motion of Senator Kehoe, the Senate adjourned until 4:00 p.m., Monday, July 24, 2017.

SENATE CALENDAR

NINTH DAY—MONDAY, JULY 24, 2017

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 6-Dixon

SB 1-Onder, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 5-Koenig, with HCS, as amended

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Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

NINTH DAY—MONDAY, JULY 24, 2017

The Senate met pursuant to adjournment.

President Parson in the Chair.

Reverend Carl Gauck offered the following prayer:

“Bless the Lord, O my soul, and all that is within me, bless his holy name.” (Psalm 103:1)

We gather once again to continue our work and deal with the challenges that confront us. Bless us, O Lord, so that we follow the path You have set us on and do what is right and necessary with the legislative bill we continue work to pass. Guide our thoughts and words and actions this week so we may truly be seen as Your servants doing what we have been called to do and being the people we are meant to be. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journals for Thursday, June 15, 2017, Thursday, June 22, 2017, Tuesday, June 27, 2017, Thursday, July 6, 2017 and Friday, July 14, 2017 were read and approved.

Senator Kehoe announced photographers from KOMU-8, KRCG-TV, KMIZ-TV and St. Louis Public Radio were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hummel	Kehoe	Koenig	Kraus	Munzlinger	Nasheed
Onder	Richard	Riddle	Rizzo	Romine	Rowden	Sater
Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford	Walsh
Wasson	Wieland—30					

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal	Hoskins	Libla—3
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Vacancies—1

The Lieutenant Governor was present.

RESOLUTIONS

Senator Schupp offered Senate Resolution No. 95, regarding Karen Berry-Elbert, Clayton, which was adopted.

On behalf of Senator Chappelle-Nadal, Senator Kehoe offered Senate Resolution No. 96, regarding Orlando Watson, Saint Louis, which was adopted.

Senator Wieland offered Senate Resolution No. 97, regarding Mostly Country Band, Jefferson County, which was adopted.

Senator Hegeman offered Senate Resolution No. 98, regarding the Fiftieth Wedding Anniversary of Max and Judy Ellis, Stanberry, which was adopted.

Senator Hegeman offered Senate Resolution No. 99, regarding the Fiftieth Wedding Anniversary of Lavelle and Pamela Koger, Clearmont, which was adopted.

Senator Hegeman offered Senate Resolution No. 100, regarding the Seventieth Wedding Anniversary of Dale and Pat Seymour, Fairfax, which was adopted.

Senator Riddle offered Senate Resolution No. 101, regarding Corrections Officer I Terry Terrell, Fulton, which was adopted.

Senator Holsman offered Senate Resolution No. 102, regarding Eagle Scout Stephen Stricklin, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 103, regarding Eagle Scout Julian Kiwinda, Kansas City, which was adopted.

Senator Holsman offered Senate Resolution No. 104, regarding Eagle Scout Will Cordier, Grandview, which was adopted.

Senator Holsman offered Senate Resolution No. 105, regarding Eagle Scout Johnny Tancredi, Kansas City, which was adopted.

Senator Kraus offered Senate Resolution No. 106, regarding James D. Ross, Independence, which was adopted.

Senator Richard offered Senate Resolution No. 107, regarding Larry Massey, Seneca, which was adopted.

Senator Brown offered Senate Resolution No. 108, regarding the Sixtieth Wedding Anniversary of Clarence Dale and Mollie Marie McPheeters, Camdenton, which was adopted.

Senator Kehoe offered Senate Resolution No. 109, regarding the One Hundredth Birthday of Laura Marie (Kirchner) Brauer, Tipton, which was adopted.

Senator Hegeman offered Senate Resolution No. 110, regarding the Sixtieth Wedding Anniversary of Luther and Jane Thompson, Rock Port, which was adopted.

Senator Hegeman offered Senate Resolution No. 111, regarding the Sixty-fifth Wedding Anniversary

of Eldon and Doris Dorrel, Bolckow, which was adopted.

Senator Hegeman offered Senate Resolution No. 112, regarding the Fiftieth Wedding Anniversary of Joe and Carolyn Franks, Maryville, which was adopted.

Senator Kraus offered Senate Resolution No. 113, regarding Eagle Scout Nathan Paul Rawson, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 114, regarding Eagle Scout J. Michael Gilliland, Blue Springs, which was adopted.

Senator Kraus offered Senate Resolution No. 115, regarding Eagle Scout Patrick Downton, Jr., Blue Springs, which was adopted.

Senator Sifton offered Senate Resolution No. 116, regarding Eagle Scout Tyler James Rainey, St. Louis, which was adopted.

Senator Schupp offered Senate Resolution No. 117, regarding J. Wayne Oldroyd, Maryland Heights, which was adopted.

Senator Cunningham offered Senate Resolution No. 118, regarding the Class 2 state champion Mansfield High School Baseball Program, which was adopted.

Senator Cunningham offered Senate Resolution No. 119, regarding the Ninetieth Birthday of Kathryn Rich Gardner Fisher, Springfield, which was adopted.

Senator Sater offered Senate Resolution No. 120, regarding the Sixtieth Wedding Anniversary of Dan and Carolyn Boman, which was adopted.

Senator Sater offered Senate Resolution No. 121, regarding the One Hundred Fiftieth Anniversary of the First Christian Church, Mount Vernon, which was adopted.

Senator Sater offered Senate Resolution No. 122, regarding Bill Milleson, Pineville, which was adopted.

Senator Sater offered Senate Resolution No. 123, regarding Wayne Walden, Seligman, which was adopted.

Senator Sater offered Senate Resolution No. 124, regarding Bob Mitchell, which was adopted.

PRIVILEGED MOTIONS

Senator Koenig moved that **SS** for **SB 5**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SB 5**, entitled:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 5

An Act to repeal sections 188.021, 188.027, 188.030, 188.039, 188.047, 188.075, 192.665, 192.667, 197.150, 197.152, 197.158, 197.160, 197.162, 197.165, 197.200, 197.205, 197.215, 197.220, 197.225, 197.230, 197.235, 197.240, 197.285, 197.287, 197.289, 197.293, 197.295, and 595.027, RSMo, and to enact in lieu thereof thirty-one new sections relating to abortions, with penalty provisions.

Was taken up.

Senator Koenig moved that **HCS** for **SS** for **SB 5**, as amended, be adopted.

Senator Sifton offered a substitute motion that moved the Senate refuse to concur in **HCS** for **SS** for **SB 5**, as amended, and request the House to recede from its position and to take up and pass **SS** for **SB 5**.

Senator Nasheed requested a roll call vote be taken on the above substitute motion. She was joined in her request by Senators Curls, Emery, Koenig and Onder.

Senator Rowden assumed the Chair.

President Parson assumed the Chair.

At the request of Senator Koenig, the motion to adopt **HCS**, as amended, was withdrawn, rendering the substitute motion moot.

INTRODUCTION OF GUESTS

Senator Sifton introduced to the Senate, his son, Stephen, and daughter, Madelyn, St. Louis; and Stephen and Madelyn were made honorary pages.

On motion of Senator Kehoe, the Senate adjourned until 12:00 p.m., Tuesday, July 25, 2017.

SENATE CALENDAR

TENTH DAY—TUESDAY, JULY 25, 2017

FORMAL CALENDAR

SENATE BILLS FOR PERFECTION

SB 6-Dixon

SB 1-Onder, et al, with SCS

INFORMAL CALENDAR

SENATE BILLS WITH HOUSE AMENDMENTS

SS for SB 5-Koenig, with HCS, as amended

✓

Journal of the Senate

FIRST REGULAR SESSION

SECOND EXTRA SESSION

TENTH DAY—TUESDAY, JULY 25, 2017

The Senate met pursuant to adjournment.

President Pro Tem Richard in the Chair.

Reverend Carl Gauck offered the following prayer:

“You must understand this, my beloved: let everyone be quick to listen, slow to speak, slow to anger; for your anger does not produce God’s righteousness. (James 1:19)

Almighty God, Grant unto us this day that we may be a people that may love the things which You command and desire that which You have promised. May our hearts be fixed on You, so we can remember Your wisdom so we may do our very best to seek what is most helpful as we engage one another. And grant that as we serve You we find true joy and delight in what You will for us. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

A quorum being established, the Senate proceeded with its business.

The Journal of the previous day was read and approved.

Senator Kehoe announced photographers from Associated Press, St. Louis Public Radio, KOMU-8, KRCG-TV, KMIZ-TV and Fox 2 St. Louis were given permission to take pictures in the Senate Chamber.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Cunningham	Curls	Dixon	Eigel	Emery	Hegeman
Holsman	Hoskins	Hummel	Kehoe	Koenig	Kraus	Libla
Munzlinger	Nasheed	Onder	Richard	Riddle	Rizzo	Romine
Rowden	Sater	Schaaf	Schatz	Schupp	Sifton	Silvey
Wallingford	Walsh	Wasson	Wieland—32			

Absent—Senators—None

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—1

RESOLUTIONS

Senator Riddle offered Senate Resolution No. 125, regarding the Fiftieth Wedding Anniversary of David and Janet Potts, Mexico, which was adopted.

Senator Riddle offered Senate Resolution No. 126, regarding Tom Shackelford, which was adopted.

Senator Sater offered Senate Resolution No. 127, regarding Shannon Pagan, which was adopted.

Senator Sater offered Senate Resolution No. 128, regarding the Sixty-fifth Wedding Anniversary of Charles and Barbara Chrisman, Noel, which was adopted.

Senator Sater offered Senate Resolution No. 129, regarding Charles Jordan, Branson, which was adopted.

Senators Kehoe and Dixon offered Senate Resolution No. 130, regarding the Sixty-fifth Wedding Anniversary of James “Jim” and Agnes Rackers, Wardsville, which was adopted.

PRIVILEGED MOTIONS

Senator Koenig moved that **SS** for **SB 5**, with **HCS**, as amended, be taken up for 3rd reading and final passage, which motion prevailed.

HCS for **SS** for **SB 5**, as amended, was taken up.

Senator Koenig moved that **HCS** for **SS** for **SB 5**, as amended, be adopted.

Senator Holsman offered a substitute motion that the Senate refuse to concur in **HCS** for **SS** for **SB 5**, as amended, and request the House to recede from its position and to take up and pass the **SS** for **SB 5**.

Senator Holsman offered **SA 1** to the substitute motion, which was read:

SENATE AMENDMENT NO. 1

Amend the substitute motion by striking the words “and to take up and pass the **SS** for **SB 5**” and inserting in lieu thereof, the following: “or, failing to do so, grant the Senate a conference thereon.”

Senator Holsman moved that the above amendment be adopted.

Senator Schatz requested a roll call vote be taken on the adoption of **SA 1**. He was joined in his request by Senators Brown, Hegeman, Onder and Wieland.

Senator Kraus assumed the Chair.

President Pro Tem Richard assumed the Chair.

SA 1 to the substitute motion failed of adoption by the following vote:

YEAS—Senators

Curls	Dixon	Holsman	Hummel	Nasheed	Rizzo	Romine
Schaaf	Schupp	Sifton	Silvey	Walsh—12		

NAYS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Munzlinger	Onder	Richard	Riddle	Rowden
Sater	Schatz	Wallingford	Wasson	Wieland—19		

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Libla—2

Vacancies—1

At the request of Senator Holsman, the substitute motion was withdrawn.

HCS for SS for SB 5, as amended, was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Munzlinger	Onder	Richard	Riddle
Rowden	Sater	Schatz	Wallingford	Wasson	Wieland—20	

NAYS—Senators

Curls	Holsman	Hummel	Nasheed	Rizzo	Romine	Schaaf
Schupp	Sifton	Silvey	Walsh—11			

Absent—Senators—None

Absent with leave—Senators

Chappelle-Nadal Libla—2

Vacancies—1

Senator Kraus assumed the Chair.

President Pro Tem Richard assumed the Chair.

Senator Koenig moved that **HCS for SS for SB 5**, as amended, be read a 3rd time and finally passed.

Senator Curls offered a substitute motion that the senate stand adjourned sine die.

Senator Kehoe requested a roll call vote be taken on the above substitute motion. He was joined in his request by Senators Brown, Koenig, Onder and Sater.

The above substitute motion failed of adoption by the following vote:

YEAS—Senators

Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp	Sifton
Walsh—8						

NAYS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Wallingford	Wasson
Wieland—22						

Absent—Senators

Schaaf Silvey—2

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—1

Senator Koenig moved that **HCS for SS for SB 5**, as amended, be read the 3rd time and finally passed and submitted the following privileged motion:

Motion for the Previous Question - Pursuant to Rule 84 of the Missouri Senate:

Shall the Main question be now put?

Signed:

/s/ Andrew Koenig	/s/ Daniel Hegeman
/s/ Bob Onder	/s/ Jay Wasson
/s/ Ed Emery	/s/ Brian Munzlinger
/s/ Dave Schatz	/s/ Denny Hoskins
/s/ Bill Eigel	/s/ David Sater
/s/ Paul Wieland	/s/ Mike Cunningham
/s/ Will Kraus	/s/ Dan Brown
/s/ Wayne Wallingford	/s/ Caleb Rowden
/s/ Ron Richard	/s/ Jeanie Riddle
/s/ Mike Kehoe	

The motion to move the previous question was adopted by the following vote:

YEAS—Senators

Brown	Cunningham	Eigel	Emery	Hegeman	Hoskins	Kehoe
Koenig	Kraus	Munzlinger	Onder	Richard	Riddle	Rowden
Sater	Schatz	Wallingford	Wasson	Wieland—19		

NAYS—Senators

Curls	Dixon	Holsman	Hummel	Libla	Nasheed	Rizzo
Romine	Schupp	Sifton	Silvey	Walsh—12		

Absent—Senator Schaaf—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—1

HCS for SS for SB 5, as amended, was read the 3rd time and passed by the following vote:

YEAS—Senators

Brown	Cunningham	Dixon	Eigel	Emery	Hegeman	Hoskins
Kehoe	Koenig	Kraus	Libla	Munzlinger	Onder	Richard
Riddle	Romine	Rowden	Sater	Schatz	Wallingford	Wasson
Wieland—22						

NAYS—Senators

Curls	Holsman	Hummel	Nasheed	Rizzo	Schupp	Sifton
Silvey	Walsh—9					

Absent—Senator Schaaf—1

Absent with leave—Senator Chappelle-Nadal—1

Vacancies—1

The President declared the bill passed.

On motion of Senator Koenig, the title to the bill was agreed to.

Senator Koenig moved that the vote by which the bill passed be reconsidered.

Senator Onder moved that motion lay on the table, which motion prevailed.

Bill ordered enrolled.

On motion of Senator Kehoe, the Senate recessed until 5:00 p.m.

RECESS

The time of recess having expired, the Senate was called to order by President Pro Tem Richard.

REPORTS OF STANDING COMMITTEES

Senator Kehoe, Chairman of the Committee on Rules, Joint Rules, Resolutions and Ethics, submitted the following report:

Mr. President: Your Committee on Rules, Joint Rules, Resolutions and Ethics, to which was referred **HCS for SS for SB 5**, as amended, begs leave to report that it has examined the same and finds that the bill has been duly enrolled and that the printed copies furnished the Senators are correct.

OBJECTIONS

Senator Holsman submitted the following:

July 25, 2017

Adriane Crouse – Secretary of the Senate
State Capitol, Room 325
Jefferson City, Missouri 65101

RE: Objection to the signing of HCS/SS/SB 5 by the President Pro-Tem

Dear Ms. Crouse:

Pursuant to the provisions Article III, § 30 of the Missouri Constitution and Senate Rule 68, please consider this correspondence as my objection to the signing of House Committee Substitute for Senate Substitute for Senate Bill 5 by the President Pro-Tem. In accordance with these provisions, please print this correspondence in the Senate Journal and annex it to the legislation to be considered by the Governor.

My first objection is that the extra session that was called to convene the bill was, itself, unconstitutional. On June 7, 2017, Governor Eric Greitens issued a proclamation calling for the convening of an extra session of the Missouri General Assembly to address legislation relating to abortion laws. Such a convening of the Missouri General Assembly violates Article IV, Section 9 of the Missouri Constitution in that extra sessions called for by the Governor may only be done on “extraordinary occasions.”

Article II, Section 1 of the Missouri Constitution provides as follows,

The powers of government shall be divided into three distinct departments--the legislative, executive and judicial--each of which shall be confided to a separate magistracy, and no person, or collection of persons, charged with the exercise of powers properly belonging to one of those departments, shall exercise any power properly belonging to either of the others, except in the instances in this constitution expressly directed or permitted.

Article III, Section 1 confines the legislative power of state government to the General Assembly. A careful reading of the article shows that the constitution assigns the General Assembly the single power and sole responsibility to make, amend and repeal laws for Missouri and to

have the necessary power to accomplish its law-making responsibility. State Auditor v. Joint Committee on Legislative Research, 956 S.W.2d 228, 230-231 (Mo. 1997). “All the power to make laws in the name and with the authority of its constituent elements—its citizens en masse—is lodged in the temporary Legislature, subject only to the restraining clauses of the Constitutions of the state and nation.” Ludlow–Saylor Wire Co. v. Wollbrinck, 205 S.W. 196, 197 (Mo. 1918). Article IV, Section 1 confines the executive power of state government to the governor.

The governor may call an extra session of the Missouri General Assembly by proclamation wherein he shall specifically describe each matter on which action is necessary. Mo.Const. Art. IV, Sec. 9. However, he may do so only on “extraordinary occasions.” *Id.* No Missouri Court has undertaken the task of defining what constitutes an “extraordinary occasion” for the purposes of this constitutional provision. Words used in constitutional provisions are interpreted to give effect to their plain, ordinary, and natural meaning. Wright-Jones v. Nasheed, 368 S.W.3d 157, 159 (Mo. 2012). The dictionary defines “extraordinary” as “(1) not according to the usual custom or regular plan; (2) going far beyond the ordinary degree, measure, limit, etc.; very unusual; exceptional; remarkable.” WEBSTER’S NEW WORLD COLLEGE DICTIONARY 515 (5th ed. 2014).

As evidence that the subjects upon which the Governor has called an extra session do not constitute an extraordinary occasion, bills relating to the same subject matters were sponsored, debated and partially moved through the legislative process during the regular legislative session of 2017. However, the collective judgment of the General Assembly – sitting as the single power and sole responsibility to make, amend and repeal laws – was that these subjects were not extraordinary enough to truly agree and finally pass a bill on them during the regular session, much less during an extra session.

While the proclamation issued by the Governor cited the May 2, 2017 decision of Judge Sachs in the case of Comprehensive Health of Planned Parenthood, Great Plains vs. Randall Williams as one of the reasons for the special session, it should be noted that this litigation had been pending since November 30, 2016. Furthermore, the United States Supreme Court’s opinion in Whole Women’s Health vs. Hellerstedt – which Judge Sachs relied on in his order – was handed down on June 27, 2016. To summarize, the issues addressed in the Governor’s proclamation did not arise for the first time on May 2, 2017.

My second objection addresses the substance of the bill itself. In Planned Parenthood of Southeastern Pennsylvania vs. Casey, the United States Supreme Court held that where a state regulation imposes an undue burden on a woman’s ability to make the decision to terminate a pregnancy, the state reaches into the heart of a liberty protected by the Due Process Clause of the United States Constitution. 505 U.S. 833, 874, 112 S.Ct. 2791, 2819 (1992). The Court went on to state,

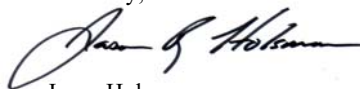
A statute which, while furthering the interest in potential life or some other valid state interest, has the effect of placing a substantial obstacle in the path of a woman’s choice cannot be considered a permissible means of serving its legitimate ends...An undue burden exists, and therefore a provision is invalid, if its purpose or effect is to place a substantial obstacle in the path of a woman seeking an abortion before the fetus attains viability.

Id. 505 U.S. at 877-878, 112 S.Ct. 2820-2821.

House Committee Substitute for Senate Substitute for Senate Bill 5 creates the types of substantial obstacles to women’s health choices that were prohibited by the Casey decision. The bill requires approval by the Department of Health and Senior Services for every chemically induced abortion. The bill also contains many of the same regulations that caused Missouri’s abortion laws to be invalidated in the recent judgment by Judge Sachs. The only change is that now the regulations are not called ambulatory surgical center regulations.

It is unfortunate that the obsession of this General Assembly continues to suppress the reproductive rights of Missouri women has yet again lead it to send to the Governor legislation that is unconstitutional. This not only hurts Missouri women, but wastes the tax dollars sent to Jefferson City by hard-working Missourians when it used to defend unconstitutional legislation. I hope in the future this obsession ceases.

Sincerely,



Jason Holsman.
Jackson County
District 7

SIGNING OF BILLS

The President Pro Tem announced that all other business would be suspended and **HCS for SS for SB 5**, as amended, having passed both branches of the General Assembly, would be read at length by the Secretary, and, the objection notwithstanding, the bill would be signed by the President Pro Tem to the end that it may become law. The bill was so read by the Secretary and signed by the President Pro Tem.

INTRODUCTION OF GUESTS

Senator Eigel introduced to the Senate, Nathan Scott, Savannah.

Senator Schupp introduced to the Senate, Elisabeth Condon, St. Peters.

Senator Sifton introduced to the Senate, Alisha Stratton, California.

Senator Eigel introduced to the Senate, Anna Hoduski, California.

Senator Kraus introduced to the Senate, Brice Caponetto, and his son, Jacob, Lee's Summit.

Senator Kehoe introduced to the Senate, Cheryl Rackers, her daughter, Emily, and granddaughter, Addison, Jefferson City.

On motion of Senator Kehoe, the Senate of the Second Extraordinary Session of the First Regular Session of the 99th General Assembly adjourned sine die, pursuant to the Constitution.

MICHAEL L. PARSON
Lieutenant Governor

ADRIANE D. CROUSE
Secretary of the Senate

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Journal of the Senate
NINETY-NINTH GENERAL ASSEMBLY
OF THE
STATE OF MISSOURI
FIRST REGULAR SESSION
VETO SESSION

WEDNESDAY, SEPTEMBER 13, 2017

The Senate was called to order in Veto Session by Lieutenant Governor Mike Parson.

Reverend Carl Gauck offered the following prayer:

“Our competence is from God.” (2 Corinthians 4:5b)

O God our Father we gather here this week as per our constitutional duty. We acknowledge that what we have been able to do come this past session has come from the competence that You have given us. We know that You have given gifts freely to us that we may share them together to make everything we do more complete and make better laws. So we thank You for the courage to go forth as You would have us go and grace to persevere till our work here is completed. In Your Holy Name we pray. Amen.

The Pledge of Allegiance to the Flag was recited.

The following Senators were present during the day’s proceedings:

Present—Senators

Brown	Chappelle-Nadal	Crawford	Cunningham	Curls	Eigel	Emery
Hegeman	Holsman	Hoskins	Hummel	Kehoe	Libla	Munzlinger
Nasheed	Onder	Richard	Riddle	Rizzo	Romine	Rowden
Sater	Schaaf	Schatz	Schupp	Sifton	Silvey	Wallingford
Walsh	Wasson	Wieland—31				

Absent—Senators—None

Absent with leave—Senators

Dixon Koenig—2

Vacancies—1

The Lieutenant Governor was present.

**MESSAGES FROM THE
SECRETARY OF STATE**

The President laid before the Senate the following communication from the Secretary of State:

TO THE SECRETARY OF THE SENATE

Honorable Adriane D. Crouse

Jefferson City, MO

Madam:

I, John R. Ashcroft, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 28th Senatorial District in the State of Missouri, on the 8th day of August, 2017, as provided by law, the following named person was elected to the office of State Senator, 28th Senatorial District as shown by the election results certified to this office by the election authorities of the 28th Senatorial District.

Name	Office
Sandy Crawford	State Senate
273 State Highway 32	28th Senatorial District
Buffalo, MO 65622	

SEAL

IN WITNESS WHEREOF, I have hereunto set
my hand and affixed the seal of my office this 29th
day of August, 2017.

/s/ John R. Ashcroft
Secretary of State

Senator Kehoe announced photographers from the Associated Press, KOMU-TV, Gasconade County Republican, KTVI, Fox 2, KMIZ, Columbia Missourian, Jefferson City News Tribune and KRCG-TV were given permission to take pictures in the Senate Chamber.

RESOLUTIONS

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 2

BE IT RESOLVED by the Senate that the rules of the Senate, as adopted by the Ninety-ninth General Assembly, First Regular Session, be declared to be the rules of the Veto Session of the Ninety-ninth General Assembly.

Senator Kehoe offered the following resolution, which was read:

SENATE RESOLUTION NO. 3

Whereas, it has been the tradition of the Missouri Senate to jealously guard the honor, integrity, and public standing of its membership, and the Missouri Senate has always been quick to defend against and quick to condemn any internal or external threat to that tradition; and

Whereas, on August 17, 2017, Senator Maria Chappelle-Nadal wrote the following on the social media website Facebook, "I hope Trump is Assassinated!"; and

Whereas, such expression of a desire for violence against the President of the United States of America by another elected official is unfitting and unbecoming of a member of the Missouri Senate and constitutes disorderly conduct; and

Whereas, such expression also demonstrates a disrespect for the democratic process as enshrined in the United States and Missouri Constitutions; and

Whereas, pursuant to Article III, Section 18 of the Missouri Constitution, the Senate retains the sole right and responsibility to determine the qualifications of its members; and

Whereas, pursuant to Article III, Section 18 of the Missouri Constitution, the Senate may punish a member for disorderly conduct:

Now Therefore, Be It Resolved that the disorderly conduct of Senator Chappelle-Nadal, as put forth in this resolution, is of a type and of such magnitude to warrant a public censure; and

Be It Further Resolved that the members of the Missouri Senate, Ninety-ninth General Assembly, Veto Session of the First Regular Session, hereby find and conclude that Senator Maria Chappelle-Nadal engaged in disorderly conduct and is hereby immediately censured; and

Be It Further Resolved that the members of the Missouri Senate urge Senator Chappelle-Nadal to conduct herself in a manner that respects the longstanding traditions of the Missouri Senate; and

Be It Further Resolved that the members of the Missouri Senate urge Senator Chappelle-Nadal to respect her position as a Senator by refraining from action or words that incite or encourage violence; and

Be It Further Resolved that the members of the Missouri Senate urge Senator Chappelle-Nadal to resign or, upon failure to do so, she may be subject to potential expulsion at a future session of the Missouri Senate.

Senator Kehoe requested unanimous consent of the Senate that Senate Rule 71 be suspended for the purpose of taking **SR 3** up for adoption, which request was granted.

Under the provisions of Senate Rule 91, Senator Chappelle-Nadal was excused from voting on the adoption of the resolution.

Senator Kehoe moved that the above resolution be adopted and requested a roll call vote be taken. He was joined in his request by Senators Eigel, Libla, Munzlinger and Riddle.

On motion of Senator Kehoe, **SR 3** was adopted by the following vote:

YEAS—Senators

Brown	Crawford	Cunningham	Eigel	Emery	Hegeman	Holsman
Hoskins	Hummel	Kehoe	Libla	Munzlinger	Onder	Richard
Riddle	Rizzo	Romine	Rowden	Sater	Schaaf	Schatz
Schupp	Sifton	Silvey	Wallingford	Walsh	Wasson	Wieland—28

NAYS—Senators

Curls Nasheed—2

Absent—Senators—None

Absent with leave—Senators

Dixon Koenig—2

Excused from voting—Senator Chappelle-Nadal—1

Vacancies—1

Senator Munzlinger offered Senate Resolution No. 4, regarding Eagle Scout Andrew Scott Carriker, which was adopted.

Senator Munzlinger offered Senate Resolution No. 5, regarding Eagle Scout Jacob Aaron Capps, which was adopted.

Senator Munzlinger offered Senate Resolution No. 6, regarding Eagle Scout Mason Fletcher Elmore, which was adopted.

Senator Munzlinger offered Senate Resolution No. 7, regarding Eagle Scout Ian Bradley Polovich, which was adopted.

Senator Munzlinger offered Senate Resolution No. 8, regarding Eagle Scout John Samuel Vincent, Jr., which was adopted.

COMMUNICATIONS FROM THE GOVERNOR

The following communications, regarding vetoed Senate Bills were received by the Secretary of State, reading of which was waived:

GOVERNOR OF MISSOURI
JEFFERSON CITY
65102
July 14, 2017

TO THE SECRETARY OF THE SENATE
99th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Senate Bill No. 65 entitled:

AN ACT

To repeal section 306.126, RSMo, and to enact in lieu thereof one new section relating to boat passengers.

I disapprove of Senate Bill No. 65. My reasons for disapproval are as follows:

Senate Bill No. 65 allows anyone, including children, to ride or sit on the gunwales, decking over the bow, top of the seat back, or decking over the back of a motorboat without adequate guards or railing.

To paint a picture, this bill would allow two children to ride on an open bow of a speedboat traveling in excess of 40 mph on any body of water, including the Lake of the Ozarks.

For almost 50 years, Missouri law has required the public safety measure that this law would overturn. According to data collected by the United States Coast Guard, falls overboard are the leading cause of death on Missouri waterways, and open motorboats—by far—cause the most injuries and deaths. From 2005 to 2016, 57 deaths and 95 injuries attributable to falls overboard occurred on Missouri waterways. Missouri's neighboring states have also put in place this commonsense protection. *See, e.g.*, 625 ILCS 45/5-21; Ark. Code Ann. § 27-101-202; 301 Ky. Admin. Regs. 6:030.

I respect the intentions of the sponsors of Senate Bill No. 65. Like them, I want to make Missouri a safe place for people to enjoy our many waterways and outdoor recreational activities. I also understand that one purpose of this bill may have been to exempt small boats that travel at low speeds on slow moving float streams from the provisions that prohibit passengers from riding on certain areas of the boat. The final language contained in this bill, however, may have unintended consequences.

Since this legislation passed, I have spoken with members of the Missouri State Highway Patrol responsible for public safety on Missouri's waterways. Last year, they issued more than 900 warnings or citations for the failure to comply with section 306.126, RSMo. The majority of the warnings or citations occurred at the Lake of the Ozarks, which the United States Coast Guard has consistently ranked as one of the most dangerous waterways in the country. Our State's law enforcement officers have expressed serious concerns that removing the common-sense safety measures contained in 306.126, RSMo. would directly lead to more injuries and deaths on Missouri's larger waterways where more boats operate in dangerous water conditions.

The legislature should have had—but did not have—the benefit of the testimony referenced above as this bill moved through the process, and I understand that many legislators were not made aware of these public safety concerns. I appreciate that on certain waterways we may want to revise current law, and I believe that we can do so in a way that enhances individual liberty and personal responsibility while still protecting public safety.

Going forward, I am committed to working with the sponsors of this legislation to achieve our mutual goals of enacting measures that provide common-sense protections for boaters, while at the same time maximizing enjoyment of our beautiful lakes and streams. I cannot, however, add my endorsement to this bill in its current form.

In accordance with the above stated reasons for disapproval, I am returning Senate Bill No. 65 without my approval.

Sincerely,
Eric R. Greitens
Governor

Also,

GOVERNOR OF MISSOURI

JEFFERSON CITY

65102

July 14, 2017

TO THE SECRETARY OF THE SENATE
99th GENERAL ASSEMBLY
FIRST REGULAR SESSION
STATE OF MISSOURI

Herewith I return to you Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 entitled:

AN ACT

To repeal sections 105.478, 144.026, 210.845, 302.441, 400.9-501, 452.370, 452.747, 454.500, 456.1-103, 456.4-414, 456.4-420, 456.8-808, 475.024, 478.463, 479.020, 479.170, 479.353, 488.029, 488.2206, 488.2250, 488.5050, 513.430, 513.440, 514.040, 515.575, 515.635, 552.020, 557.035, 565.076, 565.091, 566.010, 575.280, 577.001, 577.010, 577.037, 577.060, and 595.045, RSMo, and to enact in lieu thereof sixty-eight new sections relating to judicial proceedings, with penalty provisions.

I disapprove of Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128. My reasons for disapproval are as follows.

Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 started as a one-page, 35-word bill that removed the division designations from the Jackson County courts. The final bill is no longer short or simple. Quite the opposite; now it spans 77 pages and impacts unrelated issues in 68 statutory sections.¹ This final bill violates the Missouri Constitution and contradicts other legislation passed this session and already signed.

Multiple constitutional issues plague Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128. The issues begin with the assortment of subjects covered by the bill. The Missouri Constitution requires that “[n]o bill shall contain more than one subject which shall be clearly expressed in its title, . . .” Article III, Section 23. “The test to determine if a bill contains more than one subject is whether all provisions of the bill fairly relate to the same subject, have a natural connection therewith or are incidents or means to accomplish its purpose.” *Hammerschmidt v. Boone County*, 877 S.W.2d 98, 102 (Mo. banc 1994) (internal quotation omitted).

Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128’s subject is “relating to judicial proceedings,” but many provisions are entirely non-judicial. Examples clutter the bill. For example, the bill prohibits the Department of Revenue from contacting taxpayers by mail about possible sales taxes owed. A different section authorizes conservation agents to write tickets for littering. Another portion requires the attorney general to report on claims that never reached the courthouse.² Elsewhere, the bill permits trustees to terminate up to \$250,000 trusts and allows parents to transfer their parental rights by signing a notarized form. The list could go on.

These parts of the bill cannot relate to judicial proceedings when they do not involve judicial proceedings. As evidenced by these examples and others, Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 violates the Missouri Constitution’s single subject requirement. Moreover, any futile attempt to argue that every issue in the bill relates to a single subject would implicate the Missouri Constitution’s clear title requirement, because the broad and amorphous “judicial proceedings” title does not give notice of the wide range of unrelated issues actually covered. *See Home Builders Ass’n of Greater St. Louis v. State*, 75 S.W.3d 267, 270 (Mo. banc 2012).

Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 compounds these constitutional concerns by undermining other legislation. One of this session’s important tort reform successes, Senate Substitute for Senate Bill No. 31, limited a party’s damages evidence to the actual cost of medical care. *See* Section 490.715.5. Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 does the exact opposite by presuming that the bills for medical care are fair and reasonable. *See* Section 595.219.5. By allowing plaintiffs’ attorneys to argue conflicts with Senate Substitute for Senate Bill No. 31 or to seek potentially inconsistent outcomes, Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 undercuts the hard-fought tort reform gains achieved this session.

¹ Ironically, the final bill does not even accomplish its original objective: instead of removing the Jackson County court division designations, the final bill preserves them.

² Monthly reports already published by the Attorney General prove this point. Through May 31, almost 100 claims had been settled in 2017 that were not subject to litigation.

Other inconsistencies exist. Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34 helps protect the home addresses of victims of rape, human trafficking, and domestic violence. This bill contains a similar, but not identical, provision. Indeed, the language differs in a dozen different ways. I appreciate the good intentions of the legislators who worked on this important issue, but the inconsistency between the two bills can only negatively affect the protections provided by Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 34.

A separate and serious flaw in the bill concerns the fees charged by court reporters. The State of Missouri employs more than 140 court reporters, assigning one to each circuit judge. Each court reporter creates the courtroom's official transcript of proceedings. How much state-employed court reporters can charge is currently capped by statute. Any citizen or party seeking an official transcript of the proceedings must purchase the transcript from the court reporter. Since court reporters are the only official transcribers, they have a monopoly on courtroom transcripts.

Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 would remove the price caps altogether.³ Under this bill, court reporters could charge any price they choose. A court reporter could, for example, charge \$100 per page. This is problematic because court reporters have a monopoly on producing these transcripts.

This change would limit citizen's access to justice and also negatively impact Missouri taxpayers. The Office of Administration's Budget & Planning Division estimates that the State of Missouri paid court reporters more than \$1 million for court transcripts last year. Removing the price caps would cost state government even more. For example, the Missouri State Public Defender predicts that Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 would cost its office at least \$100,000 more per year, or the equivalent of two public defenders.

The myriad issues in Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 raise serious constitutional, statutory, and policy concerns. Unfortunately, Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 contained many provisions I support that were the product of the hard work of many legislators. I look forward to working with the legislature on many of these important policies next session, including improving the foster care system.

In accordance with the above stated reasons for disapproval, I am returning Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 without my approval.

Sincerely,
Eric R. Greitens
Governor

Senator Kehoe moved that the Senate proceed to the order of business, Vetoed Bills, and that the calendar be called, which motion prevailed.

SB 65 was called thereafter and no motion was taken thereon.

CCS for SCS No. 2 for SB 128 was called thereafter and no motion was taken thereon.

RESOLUTIONS

Senator Kehoe offered the following resolution, which was read and adopted:

SENATE RESOLUTION NO. 9

BE IT RESOLVED by the Senate that the Secretary of the Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's veto of Senate Bill No. 65 and Conference Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 128 when the bills were called by the president.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives through its Chief Clerk:

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 1**.

³ In just the last 10 years, the price caps have more than doubled, from \$1.50 per page in early 2007 to \$3.50 per page today.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-ninth General Assembly, First Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2017 Constitutional Veto Session and ready for consideration of business.

Also,

Mr. President: I am instructed by the House of Representatives to inform the Senate that the House has taken up and adopted **HR 2**.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **HCS for HCR 19**, **CCS for SCS for HCS for HB 5**, **CCS for SCS for HCS for HB 6**, **CCS for SCS for HCS for HB 9**, and **HB 850**, when the bills were called by the Speaker.

INTRODUCTIONS OF GUESTS

Senator Hoskins introduced to the Senate, representatives of Johnson County CLIMB, Warrensburg.

On behalf of Senator Richard and himself, Senator Hummel introduced to the Senate, former State Representative Tom Villa, St. Louis City.

Senator Crawford introduced to the Senate, her husband, John, her parents, Bob and Marcelene Franklin, Buffalo; her sister and her husband, Tama Franklin and Mike Grose, and their children, Aaron and Kaylee, Springfield; her nephew, Randall Franklin, Broken Arrow, Oklahoma; Teresa Parson, Bolivar; Shirley Allison, Pleasant Hope; and Chuck Bowman, Columbia.

On motion of Senator Kehoe, the Senate of the Veto Session of the First Regular Session of the 99th General Assembly adjourned sine die, pursuant to the Constitution.

MICHAEL L. PARSON

Lieutenant Governor

ADRIANE D. CROUSE

Secretary of Senate

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